



**CALIFORNIA EMERGENCY MANAGEMENT AGENCY
LAW ENFORCEMENT AND VICTIM SERVICES**

June 12, 2009

TO: ALL INTERESTED PARTIES

SUBJECT: REQUEST FOR PROPOSALS – RAPE CRISIS PROGRAM
Service Areas: Long Beach and Central Los Angeles County

Through the release of this Rape Crisis Program Request for Proposals (RFP), the California Emergency Management Agency (Cal EMA) is soliciting proposals for the establishment of two (2) Rape Crisis Centers, one in the Long Beach service area and one in the central Los Angeles County service area.

Service areas for this competitive RFP are as follows:

Long Beach

South- Pacific ocean;

West- Pacific ocean;

North- Rosecrans east from Pacific ocean to 405 Freeway; south on 405 to 91 Freeway; east on 91 to 710 Freeway; north on 710 to Rosecrans Avenue; east on Rosecrans to eastern boundary;

East- Valley View Avenue/Coyote Creek/San Gabriel River

Central Los Angeles County

South- Highway 105 excluding the city of Gardena;

West- Highway 405 excluding the city of Westchester;

North- Highway 10 on the north;

East- Alameda Street excluding the City of Watts.

One applicant will be selected to serve the Long Beach service area and one applicant will be selected to serve the Central Los Angeles County service area for the period beginning September 1, 2009 through August 31, 2010. Applicants may apply for the Long Beach service area, the Central Los Angeles County service area, or for *both* service areas. Two *complete* proposals, one for each service area, must be submitted if applying for both service areas.

ALL INTERESTED PARTIES

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The Sexual Assault Crisis Agency, the current provider of sexual assault services to these two service areas, will end provision of services on August 31, 2009. It is anticipated the successful applicant(s) will be selected by the State Advisory Committee no later than August 14, 2009. Grant award amounts for each service area are listed in **Part I, Item E**, of this RFP. Continuation funding is non-competitive, contingent upon satisfactory performance, and subject to availability of funds.

An eligible applicant must be a community-based or governmental victim service organization located in Los Angeles County or, in the case of the Long Beach service area, a County immediately adjacent to the designated service area (Orange County). The successful applicants must establish a business and counseling office in the Long Beach service area and in the Central Los Angeles County service area, even if operating a rape crisis center in another area of Los Angeles or an adjacent County.

Proposals are due by 5:00 p.m. on July 17, 2009. Delivery options are listed in **Part I, Section C**, of this RFP. Questions regarding this RFP should be directed to me or Ann Saldubehere, Senior Program Specialist, at ann.saldubehere@oes.ca.gov or via fax at (916) 324-8554.

Sincerely,

Linda Bowen, Chief
Sexual Assault Unit
(916) 324-9210

**CALIFORNIA EMERGENCY MANAGEMENT AGENCY
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

RAPE CRISIS PROGRAM (June 2009)

**Long Beach/Los Angeles County
Central Los Angeles County**

COMPETITIVE REQUEST FOR PROPOSAL

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Attachment A: Rape Crisis Program Service Standards for the Operations of Rape Crisis Center
California Evidence Code 1035.2; 1035.4; 1035.6; 1035.8; 1036; 1036.2
California Penal Code 13835.10; 13836; 13836.1; 13837

Attachment B: Rape Crisis Program Project Summary form

Attachment C: Rape Crisis Program Objectives/Activities form

Attachment D: Rape Crisis Program Budget Forms

- IV. **FORMS** -Click on one of the form links below to access the form. Save the form to your hard drive before you attempt to fill it out. To access the complete list of forms on our website click on **or** go to www.oes.ca.gov select a "Criminal Justice Programs" section under the "Justice Programs" tab, "Grant Applications & Proposals (RFAs/RFPs)," then look in the "Related Links" for "*Forms*:" Or paste the following link into your browser:

[http://www.oes.ca.gov/WebPage/oeswebsite.nsf/OESBranchContentPortal?ReadForm&type=Forms&look=Grant%20Applications%20and%20Proposals%20\(RFAs/RFPs\)&Div=Law+Enforcement+and+Victim+Services+\(LEVS\)&Branch=Grant%20Applications%20and%20Proposals%20\(RFAs/RFPs\)Forms](http://www.oes.ca.gov/WebPage/oeswebsite.nsf/OESBranchContentPortal?ReadForm&type=Forms&look=Grant%20Applications%20and%20Proposals%20(RFAs/RFPs)&Div=Law+Enforcement+and+Victim+Services+(LEVS)&Branch=Grant%20Applications%20and%20Proposals%20(RFAs/RFPs)Forms)

[Proposal Checklist And Required Sequence](#)

[Proposal Cover Sheet](#)

[Grant Award Face Sheet and Instructions \(Cal EMA 2-101\)](#)

[Project Contact Instructions and Information \(Cal EMA 2-102\)](#)

[Signature Authorization and Instructions \(Cal EMA 2-103\)](#)

[Certification of Assurance of Compliance – VOCA \(Cal EMA 2-104f\)](#)

[Federal Grant Funds Log \(Cal EMA 2-105\)](#)

[Proposal Budget – Budget Narrative \(Cal EMA 2-107\)](#)

[Budget Forms \(Excel spreadsheet format\) – a. With Match -- Rape Crisis Program \(**"Attachment D"**\)](#)

[Personal Services – Salaries/Employee Benefits](#)

[Operating Expenses](#)

[Equipment](#)

[Project Narrative \(Cal EMA 2-108\)](#)

[Rape Crisis Program Objectives and Activities \(**"Attachment C"**\)](#)

[Rape Crisis Program Project Summary \(**"Attachment B"**\)](#)

[Sample Operational Agreement \(Cal EMA 2-161\)](#)

[Noncompetitive Bid Request Checklist \(Cal EMA 2-156\), *if applicable*](#)

[Out-Of-State Travel Request \(Cal EMA 2-158\), *if applicable*](#)

[Emergency Fund Procedures \(Cal EMA 2-153\), *if applicable*](#)

[Project Service Area Information \(Cal EMA 2-154\)](#)

[Computer and Automated Systems Purchase Justification \(Cal EMA 2-157\), *if applicable*](#)

**CALIFORNIA EMERGENCY MANAGEMENT AGENCY
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

RAPE CRISIS PROGRAM (June 2009)

**Long Beach/Los Angeles County
Central Los Angeles County**

COMPETITIVE REQUEST FOR PROPOSAL

PART I – INFORMATION

A. INTRODUCTION

This Request for Proposal (RFP) provides the information and forms necessary to prepare a proposal for the California Emergency Management Agency (Cal EMA) grant funds. The terms and conditions described in this RFP supersede previous RFPs and conflicting provisions stated in the *Recipient Handbook*. The *Recipient Handbook* provides helpful information for developing the application and is accessible at www.oes.ca.gov, selecting the “Justice Programs” tab, then “Grant Applications & Proposals (RFAs/RFPs),” then looking in the “Related Links” for “*Recipient Handbooks*.”

B. CONTACT INFORMATION

Questions concerning this RFP, the application process, or programmatic issues should be submitted by fax or e-mail to:

Linda Bowen	Ann Saldubehere
916-324-9210	916-324-7886
916-324-8554 (fax)	916-324-8554 (fax)
Linda.bowen@oes.ca.gov	ann.saldubehere@oes.ca.gov

Contact information is provided above, however, Cal EMA staff cannot assist the applicant with the actual preparation of its proposal. During the period of time between the publication date of the RFP and the date the competitive proposal is due, Cal EMA can only respond to technical questions about the RFP submitted by telephone, fax, or e-mail.

C. PROPOSAL DUE DATE AND SUBMISSION OPTIONS

One original and three copies of the proposal must be delivered to Cal EMA’s Law Enforcement and Victim Services Division by the date and time indicated below. ***A late proposal will be deemed ineligible for funding.*** Submission options are:

1. Regular or overnight mail, **postmarked by Friday, July 17, 2009**, to:

California Emergency Management Agency
Law Enforcement and Victim Services Division
Criminal Justice Programs
3650 Schriever Avenue
Mather, CA 95655
Attn: Rape Crisis Program
Long Beach/Los Angeles County and/or Central Los Angeles County

2. Hand delivered by **5:00 p.m. on Friday, July 17, 2009.** to:

California Emergency Management Agency
 Law Enforcement and Victim Services Division
 Criminal Justice Programs
 3650 Schriever Avenue
 Mather, CA 95655
 Attn: Rape Crisis Program
 Long Beach/Los Angeles County and/or Central Los Angeles County

D. ELIGIBILITY

Eligible applicants must be community-based or governmental victim service organizations located in, or adjacent to (Orange County), the service areas defined below. Community-Based Organizations (CBOs) must be active California nonprofit corporations in good standing. The Applicant Appendix must include a copy of the most recently filed version of one of the following forms:

- IRS Form 990;
- State of California Franchise Tax Board Form 199; or
- State of California Board of Charitable Trusts Form CT2.

Long Beach Service Area

South- Pacific ocean.

West- Pacific ocean.

North- Rosecrans east from Pacific ocean to 405 Freeway; south on 405 to 91 Freeway; east at 91 to 710 Freeway; north on 710 to Rosecrans Avenue; east on Rosecrans to eastern boundary.

East- Valley View Avenue/Coyote Creek/San Gabriel River

Central Los Angeles County Service Area

South- Highway 105 excluding the city of Gardena;

West- Highway 405 excluding the city of Westchester;

North- Highway 10 on the north;

East- Alameda Street excluding the City of Watts.

E. FUNDS

Award Amount – September 1, 2009 through August 31, 2010

The grant recipients will provide services with grant awards as follows:

Rape Crisis Center	Penalty Assessment-GF	Victims of Crime Act (VOCA)	VOCA Match	Sexual Assault Services Program (SASP)	Total Project Cost
Long Beach/Los Angeles County	\$54,525	\$138,365	\$34,591	\$9,048	\$236,529
Central Los Angeles County	\$45,063	\$115,496	\$28,874	\$7,478	\$196,911

Continuation funding is based on fund availability and successful performance. Federal Victims of Crime Act, Sexual Assault Services Program, and Penalty Assessment-GF funds support these projects.

F. PROGRAM INFORMATION

1. Program Guidelines

The Service Standards for the Operation of Rape Crisis Centers (Attachment A), hereinafter referred to as Service Standards, must be adhered to by all Cal EMA funded rape crisis center. The service components and standards discussed in the Service Standards are central to the operation of rape crisis centers, whose mission is to be responsive to the rights and needs of sexual assault victims. The Service Standards should be reviewed thoroughly in order to fully understand and prepare an application that is responsive to this RFP.

2. Sexual Assault Counselor Training for Certification

Sexual Assault Counselor 40-Hour Training classes must be certified by Cal EMA based on training requirements. A minimum of 60 days should be allowed for this process

3. Americans with Disabilities Act

Applicants must be in compliance with the Americans with Disabilities Act (ADA) of 1990, 42 U.S.C. 12101, et seq. and Title 28 of the Code of Federal Regulations, part 35. The applicant shall operate so that each service is accessible to, and usable by, individuals with disabilities. Applicants may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternative accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock or other conveyances, or any other methods that result in making its services, programs, or activities readily accessible to, and usable by, individuals with disabilities.

Applicants must ensure that communication with individuals with disabilities is as effective as communication with others without disabilities. This includes the use of telecommunications systems for communications by telephone. Applicants must also ensure that individuals with impaired vision or hearing can obtain information as to the existence and location of accessible services, activities, and facilities, as well as provide appropriate signage. This includes all written materials, i.e., brochures applications, consents, videos, etc.).

Applicants must ensure that all aspects of employment comply with ADA, including the application process (recruitment, hiring) and employment tasks.

4. Source and Use of Funds

a. State Penalty Assessment Funds and General Fund

The Penalty Assessment Funds are based on penalties levied against persons convicted of state crimes. The use of these funds is restricted to operation of the 24-hour crisis line, follow-up counseling services, in-person counseling services, accompaniment services, advocacy services, information and referral services, and community education programs. All of these services and programs must be sexual assault specific. State funds may also be used to provide bednight services for sexual assault victims. Reasonable administrative expenses that appropriately support these services are allowable.

b. Federal Victims of Crime Act (VOCA)

The VOCA grant program is authorized by the Victims of Crime Act of 1984, as amended, 42 U.S.C. 10601, et seq. VOCA authorizes federal financial assistance to states for the purpose of compensating and assisting victims of crime, providing funds for training and technical assistance, and assisting victims of federal crimes. The following guidelines apply to VOCA funds:

- Funds may be used for organizational memberships in no more than three national or state criminal justice or victims' organizations per year.
- Funds are restricted to the provision of direct services for crime victims.
- Funds may be used for administrative costs supporting direct client services, e.g., data collection.
- Funds may be used for air conditioning equipment offering climate comfort for clients.
- Funds may NOT be used for indirect costs, which must be computed using the rate specified in the Grant Recipient Handbook Section 2220 and must be paid with other fund sources.
- Funds may NOT support services and activities to incarcerated individuals even when the service pertains to the victimization of that individual.
- Funds may NOT be used for building liability insurance.
- Fund may be used for costs related to conducting community and school presentations when the primary purpose of the presentation is to identify crime victims and provide, or refer, victims to needed services, e.g., salaries, materials, brochures and newspaper notices).
- Applicants must use volunteers unless there is a compelling reason to waive this requirement.
- Applicants must not charge crime victims for services under the Rape Crisis Program (RCP).
- Applicants must help victims apply for compensation benefits. Such assistance may include identifying and notifying crime victims of the availability of compensations, assisting them with application forms and procedures, obtaining necessary documentation, and/or checking on claim status. To that end, applicants must collaborate with their local victim/witness agency, and provide a Memorandum of Understanding (MOU) between the applicant and the local victim/witness agency.
- Applicants must promote coordinated public/private efforts to aid crime victims (participate on state/federal/local task forces, commissions, working groups, coalitions, etc.), and develop written agreements contributing to better services for crime victims. These types of activities benefit crime victims and must be undertaken by victim service organizations in order to be eligible to receive VOCA funds. Therefore, these types of activities may not be supported with VOCA funds, which are restricted in their use to provision of direct victim services.
- Applicants must comply with the National Historic Preservation Act (16 U.S.C., Section 470, et seq., as amended), which states prior to use of grant funds to renovate, alter, or otherwise improve the exterior or interior of a building, applicants must notify Cal EMA for approval. Applicants must also maintain records establishing all proposed renovation work.
- Applicants must complete the Certification Regarding Environmental Tobacco Smoke Public Law 103-227, Part C – Environmental Tobacco Smoke, also known

as the Pro Children Act of 1994 (Act). This Act requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug and alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 per day and or the imposition of an administrative compliance order on the responsible entity.

- Original publications (written, visual or sound) produced in whole or in part with VOCA funds must contain the following statement:

Funding is made possible through the United States Department of Justice, Victims of Crime Act, 2020-VA-GX-4006.

By signing and submitting this application, the applicant/recipient certifies that it will comply with the requirements of the Act. The applicant/recipient further agrees that it will require the language in this certification be included in any sub-awards which contain provisions for the sexual assault services and that all sub-recipients shall certify accordingly.

VOCA Required Match

All grants that include VOCA funds must provide a cash and/or in-kind match, and budget line item(s) must show how that match will be met. All match items must be for VOCA-allowable purposes such as direct services to sexual assault victims or administrative costs supporting those services, such as data collection.

If volunteer time is used, the line-item detail must include: the amount of hours volunteered, a rate of pay that does not exceed that paid to staff performing similar duties, and a brief job description. Example:

Volunteer In-Kind Match

2497 hours @ \$10.00 per hour \$24,970

Crisis line, Follow-up, counseling & advocacy to sexual assault clients

- c. Sexual Assault Services Program (SASP) Funds – The SASP, created by the Violence Against Women and Department of Justice Reauthorization Act of 2005, 42 U.S.C. 14043g, is the first federal funding stream solely dedicated to the provision of direct intervention and related assistance for victims of sexual assault. The purpose of SASP is to provide intervention, advocacy, accompaniment, support services, and related assistance for all victims of sexual assault, family and household members of victims, and those collaterally affected by the sexual assault.

G. PREPARING A PROPOSAL

The Table of Contents includes a link to a Proposal Cover Sheet. Please complete the proposal Cover Sheet and attach it to the front of your proposal. The following 10 components are required for a complete proposal:

- Proposal Cover Sheet;
- Grant Award Face Sheet (Cal EMA 2-101);
- Project Contact Information; (Cal EMA 2-102)
- Signature Authorization and Instructions; (Cal EMA 2-103)
- Certification of Assurance of Compliance - VOCA (Cal EMA 2-104 f);
- Federal Fund Grant Log (Cal EMA 2-105)
- Project Narrative (Cal EMA 2-108);
- Rape Crisis Objectives and Activities (["Attachment C"](#))
- Budget Narrative (Cal EMA 2-107);
- Project Budget (["Attachment D"](#)); and,
- Proposal Appendix (*refer to Part II, C.*).

NOTE: Failure to include the required components may result in a reduced score or disqualification. Cal EMA will *not* advise the applicant the proposal is incomplete prior to rating or disqualification.

**CALIFORNIA EMERGENCY MANAGEMENT AGENCY
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

RAPE CRISIS PROGRAM (June 2009)

**Long Beach/Los Angeles County
Central Los Angeles County**

COMPETITIVE REQUEST FOR PROPOSAL

PART II – INSTRUCTIONS

The instructions in this section correspond to each of the proposal components and to the forms required to complete the proposal.

The applicant must use the forms provided in the Table of Contents of this RFP or the “Forms” ([FORMS](#)) provided on our website and plain 8½” x 11” white paper for the proposal. The blank Project and Budget Narrative pages on the website have been pre-formatted to Cal EMA standards. If you create your own computer-generated Project and Budget Narrative pages, the format must duplicate the Cal EMA pre-formatted pages and not allow the applicant more space than provided on the Cal EMA forms. The applicant must ensure information requested by the RFP instructions is included in the appropriate section of the proposal to receive credit. If a space limitation is specified for a component, strict adherence to the space limitation is required to avoid a reduction in the proposal’s score.

Copies of the proposal must be assembled separately and individually fastened in the upper left corner.
Do not bind proposal.

Failure to comply with these spacing/formatting requirements is one of the factors which may negatively impact the applicant’s comprehensive assessment score.

A. PROJECT NARRATIVE

The project narrative is the main body of information describing the problem to be addressed, the plan to address the identified problem through appropriate and achievable objectives and activities, and the ability of the applicant to implement the proposed plan.

- a) The top of each page must contain the appropriate section heading.
 - b) Applicant must fully answer each question and must provide an explanation if a question or portion of a question is not applicable. Applicant should provide details where necessary. Do not cross-reference another section of the proposal as the sole response to a question; answer the question within the space allowed even if the question has already been answered somewhere else in the application.
- 1. **Problem Statement** (Limit three double-spaced pages)
 - a. **Problem**
 - 1) Provide a thorough description of the nature and degree of the problem of sexual assault in the designated service area that will be addressed by the project.

Support the problem statement with statistical information from the service area including, at a minimum, population data (including ethnic composition) and sexual assault crime data reported to local law enforcement agencies, medical treatment facilities, and other sources. Do not include generic information on Rape Trauma Syndrome or the effects of sexual assault on victims.

- 2) Describe the extent of your agency's experience providing relevant services to ethnic and other population groups that are comparable to those in this RFP's service area.
- 3) Include the applicant agency's past three years' of relevant service provision data, including type(s) of service, to comparable ethnic and other population groups to support the response to item 2) above.

b. Project Service Area Information Form (Table of Contents - Part IV)

Complete the form and include in the Proposal Appendix.

c. Project Summary Form (Table of Contents – Part IV)

Complete the form and include in the Proposal Appendix.

d. Project Contact Information Form (Table of Contents – Part IV)

Complete the form as directed.

2. Plan and Implementation (A total of 5 double-spaced pages may be used for sections a.–c.)

This section details the applicant's plan to address the problem. Responses must conform to the requirements delineated in this RFP, including attachments. NOTE: The term "staff" refers to both employees and volunteers; responses must be reflective of both groups when applicable.

a. Services

1) 24-Hour Crisis Line

Describe how the 24-hour crisis line will be operated, including what staff will answer the line during business and non-business hours, and back-up procedures to ensure coverage if staff is temporarily away from the line or absent during their assigned shift.

2) Crisis Intervention Services

Describe how this service will be provided, including response time; staff training, training manual content, and supervision of trained staff.

3) Follow-Up Counseling Services

Describe how this service will be provided, who receives the service and when, and who provides this service.

4) In-Person Counseling Services

Describe how this service will be provided, methods used to provide this service, who receives the service and when, and who provides this service.

5) Accompaniment Services

Describe how this service will be provided, who receives the service and when, and who provides this service. If this service is referred out, when, how and to whom are clients referred and what referral procedures are used? If Accompaniment Services are referred out, an Operational Agreement must be included in the proposal Appendix. Operational Agreements must contain applicable elements delineated in Recipient Handbook Section 4300. A sample Operational Agreement is provided in this RFP's Proposal Appendix section.

6) Advocacy Services

Describe how this service will be provided, who receives the service and when, and who provides the service. If this service is referred out, when, how and to whom are clients referred and what referral procedures are used? If Advocacy Services are referred out, an Operational Agreement must be included in the Proposal Appendix. Operational Agreements must contain applicable elements delineated in Recipient Handbook Section 4300. A sample Operational Agreement is provided in this RFP's Proposal Appendix section.

7) Community Education Programs

Describe the approach to raise awareness of sexual assault in the service area, outreach efforts toward special populations (e.g., minorities, elderly, children, adolescents, mentally and/or physically disabled), and the training received by Community Education staff.

8) Multi-Disciplinary SART Meetings

Describe how this service will be provided, what disciplines will attend the meeting in the service area and who from your agency will attend the meetings. In addition, describe whether your agency has developed relationships with the SART multidisciplinary agencies in the designated service area.

b. Timeline and Date Sexual Assault Services Begin

The agency previously providing sexual assault services to this RFP's service areas will end provision of services as of August 31, 2009. It is anticipated that the new grant recipients will be selected by the Executive Committee of the State Advisory Committee on Sexual Assault Victim Services by Friday, August 14, 2009. Cal EMA's goal is for there to be as minimal an interruption as possible in the provision of services to sexual assault victims in this service area.

Based on the above dates, information in this RFP and Attachments, including the Service Standards for the Operation of Rape Crisis Centers, include a timeline that lists each task that must occur before your agency can begin providing sexual assault victim services, and the completion date of each task.

c. Agency Administration

1) History

Describe the agency's mission and purpose.

2) Client Confidentiality

Discuss the purpose of sexual assault victim confidentiality, the process used to ensure protection of sexual assault victim confidentiality, and how staff are informed of statutory confidentiality requirements.

d. Agency Coordination

Describe efforts to coordinate service delivery with each of the following: law enforcement agencies, district attorney's office; medical service providers; social service providers; mental health providers; and the County Victim/Witness Assistance project. Include information regarding cross training, participation on joint committees/task forces, etc.

Include copies of Operational Agreements (OAs) in the Proposal Appendix. Operational Agreements must contain applicable elements delineated in Recipient Handbook Section 4300. Operational Agreements may be established for a maximum of three years.

e. Objectives and Activities ("Attachment C")

The seven (7) mandatory Objectives, and the required format, are provided in Appendix B. Use a separate page for each Objective. Activities must describe the steps to be taken to achieve the Objective, indicate the anticipated time frame for completion, and specify the staff position responsible for completing the Activity. For each Objective, enter the projected number to be served from September 1, 2009 through August 31, 2010.

f. Organizational Chart

The Application Appendix must contain a **proposed** organizational chart showing the relationships between the organization, the governing body, **the proposed project**, project staff, project volunteers and lines of supervision. Job titles on the organizational chart must match those in the Budget and in the Budget Narrative.

B. PROJECT BUDGET

The purpose of the project budget is to demonstrate how the applicant will implement the proposed plan with the funds available through this program. The budget is the basis for management, fiscal review, and audit. Project costs must be directly related to the objectives and activities of the project. The budget must cover the entire grant period. In the budget, include **only** those items covered by grant funds including match funds when applicable. Projects may supplement grant funds with funds from other sources. However, since approved line items are subject to audit, applicant should not include in the project budget matching funds (if applicable) in excess of the required match. Budgets are subject to Cal EMA modifications and approval.

Cal EMA requires the applicant to develop a **line item** budget which will enable the project to meet the intent and requirements of the program and ensure the successful and cost effective implementation of the project. The applicant should prepare a realistic and prudent budget

avoiding unnecessary or unusual expenditures which detract from the accomplishment of the objectives and activities of the project. The following information is provided to assist in the preparation of the budget. Strict adherence to required and prohibited items is expected. **Where the applicant does not budget for a required item, the applicant assumes responsibility.** Failure of the applicant to include required budget items does not eliminate responsibility to comply with those requirements during the implementation of the project. The applicant should refer to the *Recipient Handbook* at www.oes.ca.gov, selecting: “*Recipient Handbooks*” for additional information concerning CAL EMA budget policy or to determine if specific proposed expenses are allowable. Contact the person listed on page 1-subsection B of this RFP if you have additional budget questions.

A match (cash and/or in-kind) of \$34,591 and \$28,874 for the Long Beach and Central Los Angeles County grant awards, respectively, is required for the VOCA funds. All funds designated as match are restricted to the same uses as the VOCA funds. If volunteer services are used to meet this requirement, the services provided by the volunteers must be VOCA allowable (see Part I, F. 4). A volunteer match budget line item must indicate the specific volunteer duties **and** a rate of pay calculation which may not exceed that of paid staff performing similar duties. The agency must maintain volunteer documentation as part of its accounting records that include: duty statements; justification for the assigned volunteer pay rate; and forms signed by the volunteer and the volunteer’s supervisor verifying actual time worked by each volunteer.

1. **Budget Narrative**

The applicant is required to submit a typed narrative with the project budget. This must be placed in the proposal in front of the budget pages. In the narrative describe:

- How the project’s proposed budget supports the objectives and activities.
- How funds are allocated to minimize administrative costs and support direct services.
- The duties of project-funded staff. This does not take the place of the brief justification required in the line item budget.
- How project-funded staff duties and time commitments support the proposed objectives and activities.
- Proposed staff commitment/percentage of time to other efforts, in addition the time allocated to this project.
- The necessity for consultants and unusual expenditures.
- Mid-year salary range adjustments, if applicable.

2. **Specific Budget Categories**

There is an Excel Workbook included in this RFP, accessed through the Table of Contents, with spreadsheets for each of the following three budget categories:

- Personal Services – Employee Salaries/Benefits;
- Operating Expenses; and
- Equipment.

The left column of each budget category on the Spreadsheet requires line item detail including the calculation and justification for the expense. Enter the amount of each line item and match in the correct column of the Budget Category form. The spreadsheet will add

each addition and round off the nearest whole dollar. You may add extra rows if necessary, the spreadsheets total at the end of each budget category and total the three spreadsheets at the bottom of the last page (Equipment). The total of the budget including each funding source and/or match amount must correspond to the amount of the Total Project Cost (Block 10G) on the Grant Award Face Sheet.

The bottom of the Equipment Category form contains a format for identifying the project total and fund distribution. This section must be completed and submitted even if there are no line items identified in the equipment category.

a. Personal Services – Salaries/Employee Benefits

1) Salaries

Personal services include services performed by project staff directly employed by the applicant and must be identified separately by position and percentage of salaries. They may be salaried or hourly, full-time or part-time positions. Sick leave, vacation, holidays, overtime, and shift differentials must be budgeted as salaries. If the applicant's personnel have accrued sick leave or vacation time prior to the approval of grant funding, they may not take time off using project funds.

2) Benefits

Employee benefits must be identified by type and percentage of salaries. The applicant may use fixed percentages of salaries to calculate benefits. Budgeted benefits cannot exceed those already established by the applicant.

Employer contributions or expenses for social security, employee life and health insurance plans, unemployment insurance, and/or pension plans are allowable budget items. Benefits, such as uniforms or California Bar Association dues are allowable budget items if negotiated as a part of an employee benefit package.

A line item is required for each different position/classification, but not for each individual employee. If several people will be employed full-time or part-time in the same position/classification, provide the number of full-time equivalents (e.g., three half-time clerical personnel should be itemized as 1.5 clerical positions).

b. Operating Expenses

Operating expenses are defined as necessary expenditures other than personal salaries, benefits and equipment. Such expenses may include specific items directly charged to the project, and in some cases, when permitted by the funding source, an indirect cost allowance. The expenses must be grant-related (e.g., to further the program objectives as defined in the grant award) and be encumbered during the grant period.

The following items fall within this category: consultant services such as subcontractors, participating staff who are not employed by the applicant, travel, office supplies, training materials, research forms, equipment maintenance, software equipment rental/lease, telephone, postage, printing, facility rental, vehicle maintenance, answering service fees and other consumable items. Furniture and office equipment with an acquisition cost of less than \$5000 (including tax, installation, and freight) and/or with a useful life of less than one year fall within this category. Otherwise, these fall under equipment expenses.

Consultant line items must include hourly wage, number of hours to be paid, and services to be performed per *Recipient Handbook* Sections 3710.

Budget for anticipated training related to the project. The applicant must include sufficient per diem and travel allocations for person(s) to attend required OES training conferences or workshops.

Rental Space

Rental space for sexual assault counselor trainings/meetings, counseling rooms, and other required space (not for self defense training or workshops) may be included in the grant budget, providing it is based on actual costs to the recipient and not reimbursed by any other source (Recipient Handbook Section 22232.1). As with all budgeted items, this expense must be accompanied by thorough line item detail that includes:

- Need for space; and
- How the space relates to the project's objectives.

c. Equipment

Equipment is defined as nonexpendable tangible personal property having **a useful life of more than one year** and an acquisition cost of \$5000 or more per unit (including tax, installation, and freight). A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers must be one line item, not three).

3. FY 2009/10 Regional Trainings

Six, one-day Regional Trainings are planned for FY 2009/10. Training dates, registration information, and locations will be sent when determined. Applicants must budget sufficient travel and per diem for at least one person to attend one of the Rape Crisis Regional Trainings.

C. PROPOSAL APPENDIX

The proposal appendix provides Cal EMA with additional information from the applicant to support components of the proposal. The following must be included:

- **Organizational Chart:** The Organizational Chart should clearly depict the structure of the applicant organization and the specific unit within the organization responsible for the implementation of the project. This chart should also depict supporting units within the organization (e.g., the Accounting Unit) and the lines of authority within the organization. Job titles on the Organizational Chart must match those in the Budget and Budget Narrative.
- **Operational Agreements:** *OAs must contain original signatures, titles, and agency names for both parties and include dates effective for the proposed grant period.* These documents must demonstrate a formal system of networking and coordination with other agencies and the applicant. A sample OA is in "Forms" ([FORMS](#)).
- **Proof of Non Profit Status** (IRS Form 990; CA Franchise Tax Board Form 199; OR CA Board of Charitable Trust Form CT2)
- **Rape Crisis Program Project Summary** (["Attachment B"](#))

- Noncompetitive Bid Request (Cal EMA 2-156), *if applicable*
- Out of State Travel Request (Cal EMA 2-158), *if applicable*
- Emergency Fund Procedures (Cal EMA 2-153), *if applicable*
- Project Service Area Information (Cal EMA 2-154)
- Computer and Automated Systems Purchase Justification Guidelines (Cal EMA 2-157), *if applicable.*

**CALIFORNIA EMERGENCY MANAGEMENT AGENCY
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

RAPE CRISIS PROGRAM (June 2009)

**Long Beach/Los Angeles County
Central Los Angeles County**

COMPETITIVE REQUEST FOR PROPOSAL

PART III – ADDITIONAL INFORMATION

The applicant is strongly encouraged to review the following sections in preparing the proposal:

- A. Selection of Proposal for Funding
- B. Finalizing the Grant Award Agreement
- C. Administrative Requirements
- D. Budget Policy
- E. Glossary of Terms
- F. Rating Form (applicant is encouraged to review prior to submission of the proposal)
- G. Summary of Past Performance Policy

A. SELECTION OF PROPOSAL FOR FUNDING

1. Proposal Rating

Eligible proposals received by the deadline are generally rated by a three member team. The rater scores are averaged and then ranked numerically. The Rating Form used for this process is included in this section and is for informational purposes only.

2. Funding Recommendations

Final funding decisions are made by the Secretary of Cal EMA. Funding recommendations are based on the following:

- the ranked score of the proposal;
- consideration of funding priorities or geographical distribution specific to this RFP; and
- prior negative administrative and programmatic performance, if applicable.

Projects previously funded by Cal EMA will be reviewed for poor past compliance, including fiscal management, progress and annual reports, audit reports, and other relevant documentation or information. This review may result in one or more of the following actions: a) the project may not be selected for funding; b) the amount of funding may be reduced; or c) grant award conditions may be placed in the Grant Award Agreement. See the attached Past Performance Policy for details.

For the Rape Crisis Program, the State Advisory Committee on Sexual Assault Victim Services is responsible for the final funding decisions based on funding recommendations from the Secretary of Cal EMA (see California Penal Code Sections 13836 and 13837).

3. Notification Process

Applicants will be notified in writing of the results of the rating process. Applicants not selected for funding will receive a denial letter containing their average score and information on the appeal process.

B. FINALIZING THE GRANT AWARD AGREEMENT

1. Standard Project Funding Authority

Allocation of funds is contingent on the enactment of the State Budget. Cal EMA does not have the authority to disburse funds until the budget is passed and the Grant Award Agreement is fully executed. Expenditures incurred prior to authorization are made at the project's own risk and may be disallowed. When the executed grant is received, and the State Budget is finalized, authorized expenditure reports may be submitted for reimbursement of expenditures incurred subsequent to the effective date of the grant award agreement.

If, during the term of the grant award, the state and/or federal funds appropriated for the purposes of the grant award are reduced or eliminated by the California Legislature or the United States Government, or in the event revenues are not collected at the level appropriated, Cal EMA may immediately terminate or reduce the grant award by written notice to the recipient. However, no such termination or reduction shall apply to allowable costs already incurred by the recipient to the extent state or federal funds are available for payment of such costs.

Cal EMA Grant Award Agreements are subject to applicable restrictions, limitations, or conditions enacted by the California Legislature and/or the United States Government, subsequent to execution of the Grant Award Agreement.

2. Processing Grant Awards

a. Grant Award Conditions

Cal EMA may add grant award conditions to the Grant Award Agreement prior to or after funding. If conditions are added, these will be discussed with the applicant and a copy of the conditions will be sent to the grant recipient when the conditions are made part of the Grant Award Agreement. Grant award conditions may include requirements for sole source justification, a computer feasibility study, or other requirements deemed necessary by Cal EMA.

b. Grant Award Agreement

A copy of the executed Grant Award Agreement and pertinent attachments will be sent to the Project Director. The applicant is not authorized to incur costs against the grant until a copy of the fully executed Grant Award Agreement is received. When the executed grant is received a Report of Expenditures and Request for Funds (Cal EMA 2-201) may be submitted for reimbursement.

c. Grant Award Amounts

When the amount of funds available is limited, Cal EMA may reduce the amount of the grant award from the amount requested by the applicant. In addition, Cal EMA reserves the right to negotiate budgetary changes with the applicant prior to executing the Grant

Award Agreement. If either of these actions is required, Cal EMA will notify the applicant prior to executing the Grant Award Agreement.

C. ADMINISTRATIVE REQUIREMENTS

The following requirements apply to projects selected for funding and are explained below for the recipient's planning purposes.

1. The Recipient Handbook (RH)

The *Recipient Handbook* is accessible on our website at www.oes.ca.gov. Select the "Justice Programs" tab, then "Grant Applications & Proposals (RFAs/RFPs)," then look in the "Related Links" for "*Recipient Handbooks*." The *Recipient Handbook* contains administrative information and requirements necessary to implement the project. Recipients must administer their grants in accordance with the *Recipient Handbook* requirements. Failure to comply with these requirements can result in the withholding or termination of the grant award.

2. Internet Access (RH 11500)

Funded projects are required to maintain Internet access with an established e-mail address. Grant funds may be used for this purpose unless specifically prohibited by the RFP instructions.

3. Progress Reports and Data Collection (RH 10100)

Funded projects are required to participate in data collection and to submit progress reports required by the program. Projects are required to keep accurate records to document the information reported in the progress reports. The records must be kept by the project for a period of three years. During site/monitoring visits, Cal EMA will review these records for accuracy and compare them with the reported data submitted on the progress reports.

4. Monthly/Quarterly Report of Expenditures and Request for Funds (RH 6300)

Community-based organizations (CBOs) shall submit a monthly Report of Expenditures and Request for Funds (Cal EMA 2-201) unless they request a quarterly reporting period. Government and education agencies receiving funds will be required to report on a quarterly basis. This form is due within 30 calendar days of the end of the reporting period and must be submitted whether or not the project has incurred expenses. Delays in submitting the form Cal EMA 2-201 will result in the withholding of funds and may result in the recommendation to Cal EMA's Executive Secretary for termination of the grant award.

5. Technical Assistance/Site Visits (RH 10300)

Funded projects are assigned a Cal EMA program specialist to oversee the progress of the project in achieving its goals, objectives and compliance with the Grant Award Agreement. Program specialists are available to assist the project in the successful implementation of the project and in meeting the administrative requirements of the Grant Award Agreement. New projects should expect a site visit from the assigned program specialist within the first six months of the grant period. Follow-up site visits will be conducted periodically throughout the life of the grant. Projects may request a site visit to obtain technical assistance.

6. Monitoring Requirements (RH 10400)

A monitoring visit is an onsite assessment by staff to determine if the project is in compliance with the terms of the program, the Grant Award Agreement, the Program Guidelines, the RFA/RFP, and the *Recipient Handbook*. Projects will be monitored on a random or as-needed basis.

7. Bonding Requirements (RH 2160)

Private community-based organizations and American Indian organizations are required to obtain and send to Cal EMA a notarized copy of a blanket fidelity bond or equivalent insurance contract applicable to officials and employees of Cal EMA-funded projects within 60 days of the signed Grant Award Agreement. Failure to comply with this requirement may result in the withholding of grant funds or termination of the Grant Award Agreement. The beneficiary named on the bond or an endorsement must include the "State of California, California Emergency Management Agency" and include the Grant Award number for identification purposes.

The time period covered by the bond must include the effective date and total time period of the grant, including extensions. The bond must be in an amount equal to 50 percent (50%) of the total grant award and may have a deductible in an amount not to exceed one percent (1%) of the bond.

A bond is not required of a recipient sponsored by units of government. CBOs sponsored by units of government may submit documentation indicating this in lieu of the bond or insurance contract, unless specifically required terms of the program or grant award conditions.

8. Audit Requirements (RH 8100)

To safeguard Cal EMA assets and to ensure all funds are accounted for, Cal EMA requires that organizations receiving a Cal EMA grant award(s) be audited in accordance with *Recipient Handbook* section 8100.

9. Copyrights, Rights in Data, and Patents (RH 5300 -5400)

Cal EMA owns rights of and reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use, in whole or in part, material produced by activities supported by a Grant Award Agreement. These ownership rights are detailed in the *Recipient Handbook*.

10. Source Documentation (RH 10111)

Recipients will be required to maintain source documentation to support claimed expenditures and project accomplishments. Source documentation is defined as records used to validate project activities and achievements pertaining to the objectives outlined in the Grant Award Agreement. Recipients are to retain source documentation for progress reports on a quarterly basis, regardless of submission requirements. Requirements and definitions for program specific source documentation are delineated in the RFP instructions. Recipients will be required to have written job descriptions on file for positions funded by Cal EMA detailing specific grant-related activities to achieve project objectives.

D. **BUDGET POLICY**

This document summarizes information on Cal EMA Budget Policy contained in the *Recipient Handbook*. Additional information may be obtained by accessing the *Recipient Handbook* at www.oes.ca.gov, by selecting the “Justice Programs” tab, then “Grant Applications & Proposals (RFAs/RFPs),” then look in the “Related Links” for “*Recipient Handbooks*.”

1. **Supplanting Prohibited (RH 1330)**

Grant funds must be used to supplement existing funds for program activities and **not replace** funds appropriated for the same purpose. If selected for funding, a written certification must be provided to Cal EMA indicating grant funds will not be used to supplant existing funds. Potential supplanting will be the subject of application review, post-award monitoring, and audit. The rules on supplanting are found in Section 1330 of the *Recipient Handbook*.

2. **Project Income (RH 6610)**

Project income, such as client fees and fees for services provided by the recipient (i.e., training, presentations, etc.), asset forfeitures, profits from the sale of project products, and conference proceeds as the result of a direct trade of time or products for money must be used to offset or augment the grant, unless otherwise specified in the RFP instructions. Project income cannot be used as matching funds, unless otherwise specified in the RFP instructions.

3. **Methods of Contracting and/or Procurement (RH 3400)**

A competitive bid process is required to purchase equipment or consultant services with grant funds. Noncompetitive bid contracts are disfavored. Noncompetitive bid request approval by Cal EMA program staff is required prior to the purchase of equipment in excess of \$5,000, or to hire a specific consultant charging over \$5,000. Local units of government may use their approved procurement policy except for contracts over \$50,000 which require prior Cal EMA approval. For organizations without a written procurement policy, a competitive bid process involves determining the specifications for the items needed and obtaining at least three bids from different vendors. Whenever a specific individual/organization name is identified in the project budget, a statement stating the selection of the individual organization was made competitively or a noncompetitive bid request will be required. Cal EMA will provide assistance in submitting a noncompetitive bid request if the proposal is selected for funding and if Cal EMA determines it is in the best interest of the project. These procedures do not apply to funds shared with participating agencies under the terms of an Operational Agreement (see Section 4500, *Recipient Handbook*).

4. **Match Requirements (RH 6500)**

The RFP Instructions (Part II) may specify a cash or in-kind match. When used to augment the project, expenditures for items such as Personal Services, Operating Expenses or Equipment are considered match if not in violation of the prohibition on supplanting. Match must be specified in the budget and will become part of the Grant Award Agreement. Specific instructions for calculating the match are provided below. There are examples of how to calculate the match requirement in Sections 6550-6550.2 of the *Recipient Handbook*.

a. State Funds Matching State or Federal Funds (RH 6522)

State and/or federal funds can be used to match other state and/or federal funds **only** if the following conditions have been met:

- 1) the other funding source does not prohibit this practice;
- 2) the funds are to be used for identical activities (e.g., to augment the project); and
- 3) the project has obtained prior written approval from Cal EMA or the terms of the program allow this practice.

b. Type of Match

1) Cash Match (RH 6511)

Cash match, also known as hard match, is often derived from the local funding resources committed to a project such as county general fund revenue, United Way contributions, private donations or profits from fund-raising events. When used to augment the project, cash expenditures for items such as personnel, facilities and supplies may be considered cash match if not in violation of the prohibition on supplanting. A cash match must be specifically identified by line item as match in the budget.

2) In-Kind Match (RH 6512)

In-kind match, also known as soft match, refers to goods and services which are contributed to the project, have a dollar value attached to them, and are also budgeted. In-kind contributions represent the project's non-cash outlay, including the non-cash outlay contributed by other public agencies and institutions, private organizations, and individuals. Examples include the donation of goods and volunteer time. In general, the value of in-kind contributions is determined by fair market value, which must be separately identified in the budget.

5. Travel Policies (RH 2236)

The following is Cal EMA's current travel policy:

a. Travel and Per Diem (RH 2236)

The applicant may prepare the budget using its own travel policy or the state travel policy according to the following guidelines. Travel reimbursement will only be allowed based on actual costs.

- 1) Units of Government
Units of government may use their own written travel policy or the state policy.
- 2) Community-Based Organizations (CBO)

A community-based organization may use the state travel policy or the applicant's written policy up to the maximum rates allowed by the state travel policy.

b. State Travel and Per Diem Policy (RH 2236.2)

Use the following state travel policy for budgeting travel expenses:

1) Out-of-State Travel

Out-of-state travel is restricted and only allowed in exceptional situations. Requests for approval for out-of-state travel must be submitted for Cal EMA approval.

2) Mileage

When a privately owned vehicle is utilized on project-related business, a maximum of 58.5 cents per mile is allowed, unless a higher rate is justified. Documentation justifying a higher rate must be on file and available for audit, but should not be submitted with the proposal.

3) Meals and Incidentals

a) Breakfast \$6.00

Breakfast may be claimed when travel commences at or prior to 6:00 a.m. Breakfast may be claimed on the last fractional day of a trip of more than 24 hours if travel terminates at or after 8:00 a.m.

b) Lunch \$10.00

Lunch may not be claimed for travel less than 24 hours. Lunch may be claimed if the trip begins at or before 11:00 a.m. and may be claimed on the last fractional day of a trip of more than 24 hours if the travel terminates at or after 2:00 p.m.

c) Dinner \$18.00

Dinner may be claimed if the trip begins at or before 5:00 p.m. Dinner may be claimed when travel terminates at or after 7:00 p.m., whether on a one-day trip or on the last day of a trip of more than 24 hours.

d) Incidentals \$6.00

Incidentals may be claimed for trips of 24 hours or more.

e) Total Per Diem

The maximum is \$40.00 for a 24-hour period.

4) Lodging

The maximum allowed lodging expense is \$84.00, plus applicable taxes, (except as noted below). Lodging receipts are required for reimbursement.

5) Special Lodging Rates

The maximum allowed lodging rate in Los Angeles and San Diego counties is \$110.00, plus applicable taxes. The maximum for Alameda, San Francisco, San Mateo, and Santa Clara counties is \$140.00, plus applicable taxes.

6) Other

Taxi, airport shuttle, etc., which exceed \$3.50 must be supported by receipt. Parking in excess of \$10.00 must be supported by receipt.

6. **Participating Staff (RH 4500)**

The term “participating staff” refers to salaried employees of a participating agency assigned to work with the recipient on the implementation of a project. The agreement between the recipient and the participating agency concerning participating staff must be reflected in the OA. Grant related costs associated with participating staff must be itemized in the Operating Expenses category of the grant budget.

7. **Independent Contractor / Consultant (RH 3710)**

Consultant services are provided on a contractual basis by individuals or organizations not directly employed by the applicant. Independent contractors must not be used in lieu of employees. Independent contractors are defined as individuals or organizations meeting some or all of the following criteria:

- produce a specific product or service;
- work independently without direct supervision from the applicant;
- work on specific projects;
- provide services for a limited number of hours or period of time; and/or
- have no agency management or oversight responsibilities directed toward the financial success or direction of the agency.

a. **Rates (3710.1)**

The maximum rate for independent contractors is \$250.00 per hour (excluding travel and subsistence costs). A request for compensation for over \$250.00 per hour requires **prior approval** from Cal EMA and additional justification.

1) Independent Contractors Employed by State and Local Government

Compensation for independent contractors will be allowed when the unit of government will not provide its services without cost. In these cases, the rate of compensation is not to exceed the daily salary rate paid by the unit of government.

b. **Expert Witness Fees (RH 3710.2)**

Projects, which routinely utilize “expert witnesses” as independent contractors to conduct evaluations and provide expert testimony in the courtroom, may budget for this expense. However, the project may only be charged for costs above what the jurisdiction is

required to cover. The maximum allowable rate for such witness fees is \$250.00 per hour up to \$2,000 per day. The total amount budgeted for expert witness fees must not exceed ten percent (10%) of the project's total budget. Requests for proposed expert witness costs must be accompanied by written justification indicating the following:

- qualifications, training, and experience of the expert(s), including a statement regarding recognition by the court of the individual as an expert;
- specialized certification/licensure [e.g., Masters in Social Work (MSW); Licensed Clinical Social Worker (LCSW), Marriage and Family Therapist (MFT); Medical Doctor (MD)];
- rate of pay per hour including documentation of a survey of the availability of similar consultants, the current "going rate," and the proposed rate of pay with a cost breakdown if expert is paid according to services (e.g., mileage, waiting time, court testimony);
- proposed services to be provided (e.g., analysis of forensic evidence, psychological evaluation); and
- justification why this cost cannot be paid with other funds [(attach the justification to Cal EMA 2-106 (formerly OES A303b)].

8. Facility Rental (RH 2232)

Up to \$21.00 per square foot annually (\$1.75 per square foot per month) is allowed for facility rental. If the rental cost for office space exceeds this rate, it must be consistent with the prevailing rate in the local area. This documentation must be on file and available for audit and should not be submitted with the proposal.

a. Rental Space for Training and Counseling Rooms (RH 2232.1)

Rental space for training and individual and/or group counseling rooms may also be charged to the grant, providing the charge is based on actual costs and not reimbursed by another source.

9. Rented or Leased Equipment (RH 2233)

An explanation and cost analysis is required when equipment rented or leased. This analysis must demonstrate that it is more cost-effective to rent or lease the equipment than it is to purchase it, and must be approved by Cal EMA prior to the execution of a rental or lease agreement.

10. Indirect Costs/Administrative Overhead (RH 2220)

Indirect costs are those not readily itemized or assignable to a particular project, but necessary to the operation of the organization and the performance of the project. The costs of operating and maintaining facilities, accounting services and administrative salaries are examples of indirect costs. Flat rates not exceeding ten percent (10%) of personnel salaries (excluding benefits and overtime) or five percent (5%) of total direct project costs (excluding equipment) may be budgeted by applicant for indirect costs if allowable by the funding source.

11. Audits (RH 8150)

Recipients expending between \$25,000 and \$499,999 in federal or state funds annually cannot use federal funds to reimburse for costs associated with audits. Recipients expending \$500,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Circular A-133 and are allowed to utilize federal grant funds to budget for the audit costs.

- Specifically, the allowable audit costs are as follows: if the total project cost is less than or equal to \$150,000, the project may budget up to \$2,000 for the financial audit cost; or
- If the total project cost is greater than \$150,000, the project may budget up to one and a half percent (1.5%) of the total grant for financial audit costs.

12. Equipment (RH 2300)

Equipment is defined as nonexpendable tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit (including tax, installation and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers should be one line item, not three).

a. Allowable Expenses

Equipment used solely for project activities may be budgeted if it is essential to the implementation of the project. Grant funds may not be used to reimburse the recipient for equipment already purchased.

Rented or leased equipment must be budgeted as an Operating Expense. Lease-to-purchase agreements are generally not allowable. If a lease-to-purchase is requested, the project will be required to submit justification, including cost-effectiveness, with the Grant Award Forms Package. Prior approval by Cal EMA is required.

b. Computers and Automated Equipment (RH 2340)

1) Community-Based Organizations (RH 2342.1)

Community-based organizations may budget up to \$25,000 in computer equipment, software, and related costs. Justification will be required if the proposal is selected for funding. Cal EMA will evaluate the proposed purchase on the basis of grant-related need. Prior approval by Cal EMA is required.

2) Units of Government (RH 2342.2)

Units of government may budget for computer equipment, software, and related costs. Justification will be required if the proposal is selected for funding. Cal EMA will evaluate the proposed purchase on the basis of grant-related need. Cal EMA must give approval prior to purchase. If federal grant funds totaling in excess of \$100,000 are used for automated data processing purchases, prior federal approval is also required.

3) **Computer Purchase Justification (RH 2341)**

Approval for purchases of computers and automated equipment is contingent on the applicant's ability to demonstrate cost-effective, project-related need which is best demonstrated by clearly relating each computer system or component to the grant objectives and activities. If selected for funding, the applicant will be sent instructions for preparing the justification.

c. Automobiles (RH 2331)

Automobiles are not allowable items unless permitted by the terms of the program. If an automobile is included in the budget, substantial justification demonstrating the grant-related need will be required before finalization of the Grant Award Agreement. The justification must describe the need for the automobile, including the size of service area, the need to provide direct service away from the office, and the reason why the agency will not allow personal automobile usage during work hours. A cost analysis for automobile purchase as compared to other options including lease and personal automobile use and mileage, must be done and kept on file for review by Cal EMA program staff during a site visit, monitoring visit, and/or audit.

13. Prohibited Expense Items (RH 2240)

a. Bonuses and Commissions (RH 2241)

Projects are prohibited from paying any bonus or commission to any individual, organization or firm unless specifically authorized by the terms of the program

b. Lobbying (RH 2242)

Refer to RH 2242.1 for an extensive list of prohibited activities.

c. Fundraising (RH 2243)

Cal EMA grant funds cannot be used for organized fundraising including financial campaigns, endowment drives, solicitation of gifts and bequests, or similar expenses incurred solely to raise capital or obtain contributions.

d. Real Property and Improvements (RH 2244)

Real property, including land, land improvements, structures and their attachments, and structural improvements and alterations are not allowable expenditures unless specifically authorized in the RFP instructions.

e. Interest, Charges, Fee and Penalties (RH 2245)

1) Interest

The cost of interest payments is not an allowable expenditure, unless the cost is a result of a lease/purchase agreement.

2) Charges, Fees, and Penalties

Charges, Fees and Penalties Finance charges, late payment fees, penalties, and returned check charges are not allowable expenditures.

f. Food and Beverages (RH 2246)

The cost of food and/or beverages at grant-sponsored conferences, meetings or office functions is not an allowable expenditure.

g. Weapons and Ammunition (RH 2247)

The cost of weapons and/or ammunition of any type is not an allowable expenditure, unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFP instructions.

h. Membership Dues (RH 2248)

The cost of membership dues for the licensing or credentialing of professional personnel is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFA instructions.

i. Professional License (RH 2248)

The cost of a professional license is not an allowable expenditure unless specifically authorized in the RFP instructions.

j. Annual Professional Dues or Fees (RH 2248)

The cost of professional dues or fees is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized by the RFP instructions.

k. Charges, Fees and Penalties (RH 2245)

Finance charges, late payment fees, penalties and returned check charges are not allowable expenditures.

l. Depreciation (RH 2249)

Equipment costs may not include additional costs calculated for depreciation.

GLOSSARY OF TERMS

TERM	DEFINITION
Activity	The specific steps or actions that a project takes to achieve a measurable objective.
Administrative Agency or Recipient	The agency or organization designated on the Grant Award Face Sheet (Cal EMA 2-101) who is the programmatic Recipient of the grant funds and will accomplish the planned objectives and program goals (e.g., County of Alameda, City of Fresno, State Department of Justice, Fairfield Youth Services Bureau). The Recipient was formerly referred to as the "Grantee".
Application	Once selected for funding, the original proposal plus any additional forms as required by Cal EMA becomes the application. This application, once signed by Cal EMA and the local government agency or organization authorized to accept grant funding, becomes the Grant Award/Grant Award Agreement (Cal EMA 2-101).
CFR	Code of Federal Regulations
Community-based Organization (CBO)	A nonprofit, public benefit corporation.
Competitive Bid	A contract process used when all suppliers are equally or nearly equally qualified to provide the services.
Equal Employment Opportunity Plan (EEOP)	A comprehensive plan that analyzes the agency's workforce and all agency employment practices to determine their impact on the basis of ethnicity and gender. The objective of the EEOP is to ensure nondiscrimination in all areas of employment (e.g., recruitment, hiring, promotions, etc), and in the delivery of services and benefits.
Equal Employment Opportunity (EEO) Checklists	An EEO Checklist is a document used by program staff while conducting site/monitoring visits. The checklists (A and B) were prepared to assist Cal EMA in verifying that recipients are in compliance with State and Federal Civil Rights Laws.
Grant Award Agreement	The signed final agreement between Cal EMA and the local government agency or organization authorized to accept grant funding. (See Application.)
Grant Funding Cycle	The number of years a program may be funded without competition. A funding cycle is typically three years.
Grant Funding Period	The period of time, determined by the Request for Proposal (RFP) or the Request for Application (RFA), which the project narrative, objectives, activities, and budget cover. The time period is usually one year, and is shown on the Grant Award Face Sheet (Cal EMA 2-101) (formerly OES A301).

TERM	DEFINITION
Implementing Agency	The agency or organization designated on the Grant Award Face Sheet that is responsible for the day-to-day operation of the project (e.g., probation department, district attorney, sheriff).
Monitoring Report Response Form	Form sent to the Recipient with the Monitoring report. The form is completed by the Recipient and returned to the Cal EMA Local Assistance Monitoring Branch (LAMB), indicating the Monitoring Report is accurate or inaccurate as of the date of the Monitoring.
Noncompetitive Bid (NB)	A contract for goods or services, where only a single source that can provide the services or goods is afforded the opportunity to offer a price for the specified services or goods. (Contracts sometimes include goods as well as services, and this definition will also apply to those circumstances.)
Nonprofit Organization (aka Community-Based Organization)	<p>A nonprofit, public benefit corporation as defined in the federal regulation of 28 C.F.R. Part 38, Department of Justice. This modifies the need to be recognized by the Internal Revenue Service as a 501(c)(3) for recipients of faith-based organizations. All organizations may qualify for nonprofit status using any one of the four following methods:</p> <ol style="list-style-type: none"> (1) Proof that the Internal Revenue Service recognizes the applicant has the status of a 501(c)(3). (2) A statement from a State taxing body or the State Secretary of State certifying that (i) the Organization is a nonprofit organization operating within the State; and (ii) No part of its net earnings may lawfully benefit any private shareholder or individual: (3) A certified copy of the applicant's certificate of incorporation or similar document that clearly establishes the nonprofit status of the applicant; or (4) Any item described in (1) through (3) if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.
Objectives	A set of quantifiable projections to be carried out in order to accomplish the program goals.
On Site	Refers to the location of operation of the grant award recipient. If multiple sites exist, the site that provides the project recipients with program direction qualifies as the "on site location."

TERM	DEFINITION
Operational Agreement (OA)	A formal agreement between two or more agencies, which specifies the responsibilities of each agency in implementing the project. The term Operational Agreement also includes documents entitled Memorandum of Understanding, Letters of Intent, or other titles, but which serve the same purpose.
Participating Agency	An organization that receives grant funds through an Operational Agreement to participate in achieving the goals of a project. The participating agency must be a unit of government or a community-based organization.
Participating Staff	A salaried employee of a Participating Agency.
Program	A specific set of goals and objectives established pursuant to legislative, congressional, or administrative action identifying an unmet need of the criminal justice system or victim services and supported by a set appropriation from state or federal funding sources.
Project	The implementation of a Program by a Recipient. The project includes all of the grants implemented by the Recipient under that Program regardless of the year of implementation.
Proposal	The packet of forms and narrative as requested by the RFP and submitted to Cal EMA that specified the priorities, strategies, and objectives of the applicant.
Recipient Handbook	This handbook outlines the terms and conditions required of grant projects. Funded projects must administer their grants in accordance with these administrative and fiscal conditions. The <i>Recipient Handbook</i> is accessible in the "Related Links" section of the internet website at www.oes.ca.gov under "Justice Programs", "Grant Applications & Proposals (RFAs/RFPs)" and " <i>Recipient Handbooks</i> ." The <i>Recipient Handbook</i> was previously called the " <i>Grantee Handbook</i> ".
Request for Application (RFA)	The RFA is a noncompetitive process issued by Cal EMA to obtain applications from applicants previously selected for funding.
Request for Proposal (RFP)	The Request for Proposal is issued by Cal EMA to solicit competitive proposals in order to select projects for funding.
Single Source	This term has been replaced by the term "noncompetitive bid".
Sole Source	This term has been replaced by the term "noncompetitive bid".
Source Documentation	Records that validate project activities and achievements as they pertain to the objectives outlined in the Grant Award Agreement.

TERM	DEFINITION
Supplanting	To reduce federal, state, or local funds because of the existence of Cal EMA funds. Supplanting occurs when a Recipient deliberately replaces its non-Cal EMA funds with Cal EMA funds, thereby reducing the total amount available for the stated purpose.
Terms of the Program	The applicable Program Guidelines, application requests [Request for Proposal (RFP)/Request for Application (RFA)], grant award agreement, Cal EMA policy statements, and applicable statutes. In the event the terms of the program are inconsistent with the provisions of this handbook, the terms of the program shall be interpreted and construed as superseding the provisions of this handbook.
USC	United States Code

**CALIFORNIA EMERGENCY MANAGEMENT AGENCY
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

RAPE CRISIS PROGRAM (June 2009)

**Long Beach/Los Angeles County
Central Los Angeles County**

COMPETITIVE REQUEST FOR PROPOSAL

RATING FORM

	Control #:
	Rater #:
APPLICANT:	
FUNDS REQUESTED:	

<u>CATEGORY</u>	<u>TOTAL POINTS POSSIBLE</u>
1. PROBLEM STATEMENT.....	240
2. PLAN and IMPLEMENTATION	245
3. BUDGET	96
4. COMPREHENSIVE ASSESSMENT	58
TOTAL	639

Each of the above categories contains questions assigned a point value. The point scale is divided into five columns labeled **I, II, III, IV, and V**. The applicant's response to each question is evaluated on the following criteria:

- I. ABSENT:** The response does not address the specific question or a response was not provided.
- II. UNSATISFACTORY:** The response does not completely address the question. Information presented does not provide a good understanding of applicant's intent, does not give detailed information requested by the RFP, or does not adequately support the proposal or the intent of the program.
- III. SATISFACTORY:** The response addresses the question, providing a good understanding of the applicant's intent. Response adequately supports the proposal and the intent of the program.
- IV. ABOVE AVERAGE:** The response is above average, providing a clear and detailed understanding of the applicant's intent. The response presented a persuasive argument supporting the proposal and the intent of the program.
- V. EXCELLENT:** The response is outstanding, with clear, detailed and relevant information. The response presented a compelling argument supporting the proposal and the intent of the program.

	I	II	III	IV	V
	0%	25%	50%	75%	100%
	0	20	40	60	80
1. PROBLEM STATEMENT (Maximum 240 points) 1) How thoroughly does the applicant describe the nature/degree of the problem of sexual assault in the designated service area and is it supported with the requested statistical information? 2) How extensive is the agency's experience in providing relevant services to ethnic and other population groups that are comparable to those in this RFP's service area? 3) How well does the provided service provision data compare to ethnic and other population groups in the RFP's service area?					
2. PLAN AND IMPLEMENTATION (Maximum 245 points)	0	3	5	8	10
a. Services – Responses must conform to the requirements delineated in the <i>Service Standards</i> . For each of the following services, how thoroughly did the applicant describe:					
1) 24-hour crisis line How the 24-hour crisis line will be operated, including who will answer the crisis line during business and non-business hours, and back-up procedures used to ensure coverage?					
2) Crisis Intervention How crisis intervention will be provided including response time, training for staff, trainers, training manual content, and supervision of trained staff.					
3) Follow-up How follow-up services are provided, who receives this service and when, and who provides this service.					
4) In-person Counseling How in-person counseling is provided, methods used to provide this service, who receives this service and when, and who provides this service.					

<p>5) Accompaniment</p> <p>a. How this service is provided, who receives this service and when, and who provides this service?</p> <p>b. If this service is referred out, when, how and to whom are clients referred and what referral procedures are used? Note: If this service is provided in-house and not referred out, full points are to be awarded.</p> <p>c. If referred out, is the required Operational Agreement(s) for the current grant year, signed and dated by both parties, and included in the Appendix? Note: If this service is provided in-house and not referred out, full points are to be awarded.</p> <p>6) Advocacy</p> <p>a. How this service is provided, who receives this service and when, and who provides this service?</p> <p>b. If this service is referred out, when, how and to whom are clients referred and what referral procedures are used? Note: If this service is provided in-house and not referred out, full points are to be awarded.</p> <p>c. If referred out, is the required Operational Agreement(s) for the current grant year, signed and dated by both parties, and included in the Appendix? Note: If this service is provided in-house and not referred out, full points are to be awarded.</p> <p>7) Community Education Programs</p> <p>The approach to raise awareness of sexual assault, outreach efforts toward special populations and the training received by community education staff.</p> <p>8) Multi-Disciplinary SART Meetings</p> <p>Who will attend the meetings, what disciplines will attend the meetings and whether relationships have already been developed with these disciplines?</p>					
b. Timeline and Date Sexual Assault Services Begin	0	4	8	12	15
1) How well does the applicant identify the tasks that must be completed prior to service provision, based on requirements delineated in this RFP and its attachments?					

2) How effective is this timeline in ensuring the most minimal interruption in services to sexual assault victims in the service area?					
c. Agency Administration					
	0	4	8	12	15
1) How thoroughly did the applicant describe their purpose and mission?					
	0	5	10	15	20
2) How thoroughly did the applicant describe the purpose of sexual assault victim confidentiality, processes to ensure sexual assault victim confidentiality, and how staff is informed of statutory requirements?					
d. Agency Coordination	0	4	8	12	15
1) How thoroughly does the applicant describe efforts to coordinate service delivery with the designated agencies, and does this description include information on cross training, participation on joint committees, etc.?					
2) Are OAs with each of the designated agencies included in the Appendix; do they describe plans for the coordination of services; identify the party who provides the services; contain original signatures of both parties; are they dated?					
e. Objectives and Activities	0	4	8	12	15
Are all seven objectives included, and do activities describe the steps that need to be taken to achieve the Objectives?					
f. Organizational Chart					
Is the proposed Organizational Chart included, does it show the relationships between the organization, governing body, this project, this project's staff, project volunteers and lines of supervision. Do all the job titles match those in the Budget and Budget Narrative?					
3. BUDGET, including budget narrative (Maximum 96 points)	0	12	24	36	48
a. How well does the budget narrative support the proposal objectives and activities, and the intent and requirements of the program?					

b. How well are the funds allocated in the Budget Category Forms? How well do the line items support the proposal plan, objectives, and activities of the program?					
4. COMPREHENSIVE ASSESSMENT (Maximum 58 points)	0	14	27	41	58
How well does this proposal support the overall intent, goals, and purpose of the program?					

SUMMARY OF PAST PERFORMANCE POLICY

The following is a summary of Cal EMA's Past Performance Policy. A complete copy may be obtained by sending a written, fax or email request to the attention of the Director of Grants Management.

California Emergency Management Agency
Law Enforcement and Victim Services Division
3650 Schriever Avenue
Mather, CA 95655
Attn: Rape Crisis Program – Los Angeles County
Sexual Assault Section
Fax: (916) 327-5674

1. **General Policy**

This policy is intended to penalize existing recipients having serious performance problems and will be utilized only in connection with the RFP process on the awarding of grants for new funding cycles. It was developed in consultation with Cal EMA's advisory groups.

2. **Penalty Levels**

Level A: Complete disqualification from RFP process.

Level B: 10% point reduction of total possible points from an applicant's score.

3. **Standard for Invoking this Policy**

The standard for invoking either penalty is whether the applicant's compliance with grant terms and conditions falls **significantly** below average — far below the level to be expected of other recipients, and not minor incident(s) of noncompliance with Cal EMA policies.

a. Serious Performance Problems Eligible For Consideration

Performance problems which would qualify under this policy include, but are not limited to:

- 1) significant failure to account for use of funds, mishandling/misuse of funds, fraud or embezzlement, or other material accounting irregularities or violation(s), as documented in an audit report, monitoring report, police report, or other similar objective documentation;
- 2) violation(s) of material statutory requirements related to the grant;
- 3) a willful or grossly negligent violation of a Cal EMA policy, or Terms of the Program, but **only after** the recipient had been provided:
 - a) technical assistance by Cal EMA, including a site visit if necessary, to remedy the violation;
 - b) at least one written notice (per violation); and
 - c) a reasonable opportunity to remedy the violation.

Written notice of serious performance problems will be provided to the recipient's executive officer. Failure to remedy the violation may negatively impact the recipient's eligibility for future funding.

It is not necessary for a criminal conviction to have occurred for Cal EMA to consider actions appearing to constitute fraud, embezzlement, mishandling of funds or other types of statutory violations. Cal EMA must only have reliable evidence this conduct occurred. Moreover, only properly documented performance problems will be considered.

b. Factors Considered

In determining an appropriate penalty, factors to be considered include, but are not limited to:

- 1) the seriousness of the problem;
- 2) whether the problem identified was intentional;
- 3) whether the problem revealed dishonest behavior by the applicant;
- 4) whether the interests of the State or the public were harmed by the problem;
- 5) whether the problem or problems were a one-time occurrence or represent an ongoing pattern of behavior;
- 6) whether the problem was documented objectively; and
- 7) whether Cal EMA attempted to assist the recipient in remedying the problem.

c. Specific Examples

Performance problems should be considered on a case-by-case basis, with the totality of the circumstances to be considered. The following examples are not intended to be binding or restrictive of Cal EMA's authority to determine the appropriate penalty in a particular case:

- 1) Cal EMA conducts a visit of a project and makes the following findings:
 - a) the shelter failed to pay overtime on two occasions;
 - b) three timesheets did not contain a supervisor's approval; and
 - c) the project's doors opened at 9:30 a.m. instead of 9:00 a.m. as stated on its RFP proposal.

A corrective action plan is developed and the recipient takes steps to address the findings. Communication with the recipient four months later shows the findings have been corrected.

Penalty: None

- 2) An audit a year ago discovered a project employee embezzled \$300 of Cal EMA funds. The audit concludes this occurred in part due to inadequate management controls and supervision by the project. The employee was fired and the case submitted to the district attorney's office for prosecution. The recipient has implemented new accounting and management policies and procedures, and promises to better supervise its employees. No other problems with the recipient are known.

Penalty: Level B

- 3) A project has agreed to provide victim advocacy services in County X. The recipient spends \$40,000 on non grant related expenses but does not provide the services. This is documented in the site visit report. The project's Progress Reports to Cal EMA report the services are being provided. Cal EMA refers the matter to the district attorney for prosecution, but no additional steps have yet been taken.

Penalty: Level A

4. Notification to the Applicant and Appeal of Decision

A letter will be sent by certified mail to the applicant denied funding due to past performance problem(s). The applicant shall be provided with a summary of why the performance problem penalty was invoked. The applicant is entitled to appeal the denial of funding on the same basis as other appeals of denial of funding, pursuant to the Appeals Guidelines.

SERVICE STANDARDS FOR THE OPERATIONS OF RAPE CRISIS CENTERS (4/1/09)

These service components are central to the operations of rape crisis centers and to the rights and needs of rape/sexual assault victims. Although each service is represented as a distinct set of activities, there is considerable overlap and inter-dependency between services. In the following discussion, a service standard that is the **minimum level** of adequate service is established.

With the exception of compliance to mandatory reporting laws as they pertain to child abuse, dependent adult and elder abuse, or cases involving the potential of great bodily harm to oneself or others, centers must guarantee confidentiality to all clients. The sole source of information regarding clients must be the client her/himself. Centers should have the client sign a waiver in the event the client wishes to allow their case to be discussed with any individual not employed by the center.

- A. **SERVICES** - The goal of intervention is to reduce the level of trauma experienced as a result of a sexual assault by assisting victims in strengthening their coping skills through empathetic response and support during all initial and subsequent contacts.

1. **Crisis Intervention Services** - The provision of initial services to sexual assault victims.

Service Standard

- a. Centers must maintain a 24-hour, seven day-a-week telephone line using the services of an answering service and/or a call forwarding system. The purpose of this service is to provide crisis intervention services for victims of sexual assault, family or friends, and to receive referrals from law enforcement, hospitals, and community agencies. The crisis line must be staffed at all times by staff or volunteers who are trained to provide crisis intervention and information and referral to victims of sexual assault.
- b. A trained staff member or volunteer must be immediately accessible to callers on a 24-hour basis. Immediately accessible means a waiting period not to exceed 10 minutes. Availability of an answering service to take messages is not considered full coverage and does not meet the minimum criteria.
- c. A trained staff member or volunteer is defined as an individual who has successfully completed a minimum of 40 hours of training pursuant to Evidence Code Section 1035.2, and participates in continuing education programs.
 - 1) Centers must provide a minimum of 40 hours of training to staff, volunteers and supervisors in order to meet the statutory requirements for client confidentiality. Centers must issue a Certificate of Completion of Sexual Assault Counselor Training to qualified sexual assault counselors and maintain a copy of the Certificate in the counselor's personnel file with course agenda attached.
 - 2) The training curriculum must include, but is not limited to, the following subject areas: Rape Trauma Syndrome; child sexual abuse; crisis intervention principles and techniques; medical, law enforcement, criminal justice/legal procedures; mandated reporting laws; confidentiality; referral methods and resources; historical, psychological, and socio-cultural aspects of sexual assault; and the provision of services directed toward groups that have experienced discrimination. All subject areas are to be specific to sexual assault victims.
 - 3) A training manual must be developed and provided to each staff member and volunteer staffing the crisis line. The manual must cover the training curriculum listed above and must include policies and procedures for volunteers. (See Section G. 2.)

- 4) Sexual assault counselors must participate in 12 hours of continuing education each year. No more than 4 hours may be self-study (e.g. reading assignment, approved educational video). The remaining 8 hours must be participatory (e.g. trainings conducted by the RCC, case management, workshops focusing on sexual assault issues, teleconference trainings, educational conference calls) and focus on sexual assault and/or issues that arise during provision of sexual assault services. Sexual assault counselor's personnel files must include documentation to support attendance at 12 hours of continuing education training including, at a minimum, training dates, time, topic and location. Conference agendas and supporting documentation should be included when available.
 - d. Adequate supervision of volunteers is essential in order to ensure consistent quality of services. The staff of the center must supervise volunteers. This must include a system that requires contact between staff and volunteers within the time frame outlined in the volunteer policies of the individual agency. The purpose of the contact is to report having received a crisis call and to discuss actions taken or methods of proceeding.
 - e. Staff and volunteers handle initial client contacts, provide immediate crisis intervention, follow-up contact, and in-person counseling in order to ensure consistent services. If the center does not provide long-term counseling services, the case must be referred to a qualified professional with expertise in sexual assault counseling depending on the needs of the victim. (B.1. and B.4.)
 - f. At a minimum, centers must serve the same number of sexual assault victims as there are cases of forcible rape (Penal Code [P.C.] Section 261) reported to law enforcement agencies within the center's service area during the grant year. Sexual assault includes, but is not limited to the following violations listed in the California P.C.: rape; unlawful intercourse; gang rape; rape by foreign object; spousal rape; attempted rape; assault with intent to rape; sexual battery; oral copulation; sodomy; incest; annoying or molesting a child; lewd or lascivious conduct with a child; and unlawful sexual intercourse, oral copulation or sodomy when consent is procured by fear or fraudulent representation with intent to create fear.
 - g. Business Hours -- P.C. Section 13837 requires centers to maintain normal business hours.
2. **Follow-up Counseling Services** - Client contact made either by telephone or in-person immediately after the initial crisis and/or subsequently thereafter in order to meet the immediate and ongoing needs of the client, ensure the continuity of services, and/or to offer and arrange a referral related to the client's needs.

Service Standard

- a. Centers must offer to contact all clients within 3 working days after providing crisis intervention services and shall do so when appropriate and/or according to the needs of the client.
 - b. A minimum of 45 % of clients receiving crisis intervention services must receive follow-up counseling services. An attempt to provide this service for each client is required.
 - c. Centers must establish intervals during which staff or volunteers will attempt to contact all clients after the initial provision of crisis intervention and initial follow-up contact.
 - d. Follow-up counseling also means that centers must perform periodic assessments of each client's needs. The frequency of such assessment must be based upon the severity and characteristics of each individual case. Counseling intervention plans must be modified according to the assessment results.
3. **Short-term In-person Counseling Services** - The provision of one-to-one, face- to-face counseling services for up to 10 weeks from the first counseling session.

Service Standard

- a. In addition to the provision of telephone counseling, centers must provide one-to-one, face-to-face, short-term counseling services. The service provider must be a trained staff member or volunteer who has received a minimum level of training and supervision. (A.1.c. and A.1.d.)
 - b. All sexual assault victims who contact the center's crisis telephone, business office telephone, or business office must be offered in-person counseling services when indicated by their needs.
4. **Long-term In-person Counseling Services** - The provision of one-to-one, face-to-face, counseling services provided for longer than 10 weeks by non-licensed, peer counsel counselors, licensed therapists, interns or trainees.

Service Standard

- a. Centers must make long-term counseling services available. This means to provide the service or to make arrangements through other agencies or individuals.
 - b. Centers that offer long-term counseling services must provide counselors who have a minimum of two years of supervised counseling experience, at least one of which is in rape crisis counseling, or have 40 hours of training and be supervised by a person with the experience described above; or, be a licensed therapist, intern or trainee with expertise in sexual assault counseling.
 - c. A written consent for treatment should be signed by clients prior to provision of long-term counseling services.
 - d. Referral resources for long-term counseling services must be selected by center staff. The screening and selection process must include personal interviews. Letters of agreement must be developed between the center and these resources that clearly delineate expectations and services of the parties involved.
 - e. When clients are referred out of the agency for long-term counseling, a minimum of 3 choices must be provided. Of these, only one can be staff, an active board member, or a volunteer of the center.
5. **Long-term Therapy Services** - The provision of or referral to services provided by licensed therapists or supervised clinical interns with expertise in sexual assault counseling.

Service Standard

- a. Centers must make long-term therapy services available. This means to provide the service or to make arrangements through other agencies or individuals.
 - b. A written consent for treatment should be signed by clients prior to the provision of long-term therapy.
 - c. Referral resources for long-term therapy services must be selected by center staff. The screening and selection process must include personal interviews of the referral resources. Letters of agreement must be developed between the center and these resources that clearly delineate the expectations and services of the parties involved.
 - d. When clients are referred to private therapists, a minimum of 3 choices must be provided. Of these, only one can be staff, an active board member, or a volunteer of the center
6. **Support Groups** - Facilitated group of sexual assault survivors to offer information and mutual support.

Service Standard

- a. Centers must provide for the availability of support groups. This means to provide the service or to make arrangements for the provision of these groups through other agencies or individuals.
- b. If the service is provided by the center, the facilitator must be a trained staff member or volunteer who has received the minimum 40-hour training, or is a licensed therapist with expertise in sexual assault treatment, and who receives a minimum level of supervision, and has training and experience in facilitating a support group.
- c. Referral resources for the provision of support groups must be selected by staff of the center. The screening and selection process must include personal interviews of the referral resource. Formal letters of agreement must be developed between the center and these resources which clearly delineate the expectations and services of the parties involved, including training, and must be signed by representatives of both parties. Centers must evaluate the quality of services provided by referral resources on an annual basis.

7. Accompaniment Services - Escorting or meeting face-to-face with sexual assault clients at appropriate places of their choice.

Service Standard

- a. Centers must provide for the availability of accompaniment services. This means to provide the service or to make arrangements through other agencies or organizations to provide accompaniment. These services must be available on a 24-hour basis.
- b. Accompaniment services must be provided for sexual assault victims to hospitals, law enforcement agencies, district attorney's offices, court proceedings, and other agencies or locations according to the needs of the client.
- c. Staff or volunteers providing this service must have completed the 40-hour training program and must participate in continuing education programs.
- d. Centers that refer to other agencies for provision of accompaniment services must develop a formal letter of agreement with those agencies. The letter must clearly delineate the expectations of each party, including training, and be signed by representatives of both agencies. Centers must evaluate the quality of services provided by referral resources on an annual basis.
- e. Clients receiving crisis intervention services must be offered accompaniment services when indicated by the needs of that client.

8. Advocacy Services - The process by which rape crisis counselors intervene with other agencies or individuals on behalf of sexual assault victims to achieve a particular goal or result desired by that victim.

Service Standard

- a. Centers must provide for the availability of advocacy services. This means to provide the service or to make arrangements through other agencies or organizations to provide advocacy. These services must be available on a 24-hour basis.
- b. Advocacy services must be provided for sexual assault victims with hospitals, law enforcement agencies, district attorney's offices, court proceedings, and other agencies or locations according to the needs of the client.
- c. Staff or volunteers providing this service must have completed the 40-hour training program and must participate in continuing education programs.

- d. Centers that refer to other agencies for the provision of advocacy services must develop a formal letter of agreement with those agencies. The letter must clearly delineate the expectations of each party, including training, and be signed by representatives of both agencies. Centers must evaluate the quality of services provided by referral resources on an annual basis.
- e. Clients receiving crisis intervention services must be offered advocacy services when indicated by the needs of that client.

9. Information and Referral Services - The provision of sexual assault-related information and/or referrals regarding community resources.

Service Standard

- a. Centers must respond to requests for information from the general public, as well as from persons receiving services, and must provide referrals to community resources.
- b. A referral resources list must be developed, maintained, and regularly updated which includes the following: law enforcement agencies, district and city attorney's offices, medical care providers, mental health treatment facilities, county departments of social services, child protective services, rape crisis centers, domestic violence centers, child sexual abuse treatment programs, victim/witness assistance centers, and a list of licensed therapists with knowledge and expertise in the area of sexual assault.
- c. Referral resources for treatment must be selected by staff of the center. The screening and selection process must include personal or telephone interviews of the referral resources. When appropriate, letters of agreement should be developed between the centers and these resources which clearly delineate the expectations and services of the parties involved, including training, and should be signed by representatives of both agencies.

10. Community Education Programs

Service Standard

- a. Centers must provide community outreach and education programs.
- b. Community outreach includes, but is not limited to, efforts made through public speaking engagements, and use of the real time educational instruction to inform the community about the services and operations of the center, and/or information regarding sexual assault.
- c. A community education program means a program, workshop, seminar or real time educational instruction (e.g., in-person via teleconferencing or web conferencing) in which information is provided regarding sexual assault.
- d. Community education programs must be presented by certified sexual assault counselors, as described in Section A.1.c and P.C. Section 1035.2.

B. AGENCY COORDINATION - Centers must establish themselves as active participants in local public and private service networks in order to provide for timely and comprehensive responses to sexual assault victim's needs.

Service Standard

- 1. Centers must develop and maintain cross-referral arrangements between local hospitals, law enforcement agencies, district attorney's office, victim/witness assistance centers, social service providers and other community agencies, such as treatment providers. This must be documented by a formal letter of agreement regarding cross-referrals, clearly delineating the expectations of each party, including training, and signed by representatives of both agencies.

2. The center must regularly provide training and receive training from the above-described agencies.
3. Centers must directly assist, or must refer clients to victim/witness assistance centers or private attorneys for assistance in the preparation of victim compensation claims for submission to the Victim Compensation and Government Claims Board.
4. Centers must participate in regularly-scheduled (quarterly, at a minimum) multi-disciplinary meetings to develop or enhance multi-disciplinary sexual assault response team (SART) efforts in their local service area. The purpose of these meetings is to implement a comprehensive, sensitive, coordinated system of intervention and care for sexual assault victims. The primary partners of the SART team should include, but are not limited to: rape crisis centers, local law enforcement, District Attorney's office, crime laboratory, sexual assault forensic medical examination team(s), county victim/witness assistance center, and representatives of local medical site(s) at which forensic sexual assault examinations are conducted.

- C. HUMAN RELATIONS TRAINING** - Centers must provide training to all staff and volunteers on a yearly basis on providing services directed toward groups that have experienced discrimination and prejudice. This is in addition to the 40-hour training listed in Section A.1.c.

Service Standard

1. This training must focus on educating staff and volunteers regarding groups that have experienced prejudice and discrimination on the basis of race, sex, age, class, religious belief, disability, or sexual orientation and the effect of these practices on service delivery for victims of sexual assault. This training must emphasize the correlation between oppression of any group in our culture and the dynamics of sexual assault.
2. Training must be provided by persons who have expertise in the subject area.

- D. INCLUSION OF MINORITY GROUPS IN SERVICES AND OPERATIONS**

Service Standard

Centers must include members of minority groups in their services and operations. This means:

1. Recruitment that is directed to all minority groups in the service area.
2. Centers must make every attempt to provide services to members of minority groups that are proportionate to the demographic characteristics of the service area. These services must be culturally appropriate.
3. The composition of the agency's staff, and of their volunteers, must be made up of individuals who proportionately represent the ethnic/racial demographic characteristics of the service area. If this is not possible, documentation must be maintained which reflects the good faith efforts of the agency to achieve this goal. "Good faith efforts" should include, but are not be limited to, the following:
 - a. Evidence of a plan adopted by the governing board to meet the recruitment criteria;
 - b. Evidence of recruitment efforts in ethnic newspapers and newspapers of general circulation;
 - c. Evidence or documentation of outreach to local leaders and community groups;
 - d. Outreach to business and professional organizations; and
 - e. Outreach to local colleges and universities.
4. Centers must provide culturally and ethnically relevant materials for outreach and community education efforts
5. Centers must provide education programs in the predominant language(s) of the community.

E. ADMINISTRATION

1. Paid Staff

Service Standard

- a. The minimum number of initial training hours that must be provided for paid staff is 40 hours.
- b. The training curriculum must include, but is not limited to, the following subject areas: Rape Trauma Syndrome; child sexual abuse; crisis intervention principles and techniques; medical, law enforcement, and criminal justice/legal procedures; mandated reporting laws; confidentiality; referral methods and resources; historical, psychological, and socio-cultural aspects of sexual assault; training on providing services directed toward groups that have experienced discrimination; and training pertinent to specific staff assignments. The above subject areas are to be specific to sexual assault victims.
- c. In addition to the initial 40-hour training program, staff must be offered ongoing, culturally appropriate training to keep them abreast of current developments and trends in the field of sexual assault.
- d. Each new staff person must receive an orientation to the agency that must include, but not be limited to, a job description, personnel policies, and training requirements.

2. Volunteer Staff

Service Standard

Centers must maintain up-to-date volunteer policies that include, at a minimum, policies for: leave; attendance at continuing education programs; time commitments; confidentiality; travel expense reimbursement; and regular volunteer evaluations. Acknowledgment of receipt and understanding of these policies must be documented by the volunteer's signature.

3. Volunteer Board of Directors

Service Standard

- a. The board must be made up of individuals who proportionately represent the ethnic/racial demographic characteristics of the service area. If this is not possible, documentation must be maintained that reflects the good faith efforts of the agency to achieve this goal. "Good faith efforts" should include, but are not be limited to, the following:
 - 1) Evidence of a plan adopted by the governing board to meet the recruitment criteria;
 - 2) Evidence of recruitment efforts in ethnic newspapers and newspapers of general circulation;
 - 3) Evidence or documentation of outreach to local leaders and community groups;
 - 4) Outreach to business and professional organizations; and
 - 5) Outreach to local colleges and universities.
- b. A formal selection process must be established for board members.
- c. Directors must be provided with training to include such topics as: history and goals of the organization; information about funding sources; general expectations; board member responsibilities including fund-raising; copies of bylaws, articles of incorporation, and personnel policies.

F. INTERNAL MANAGEMENT

Service Standard

Centers must develop adequate policies and procedures to protect the agency from legal liability.

1. Centers must maintain and follow up-to-date bylaws.
2. Centers must maintain up-to-date personnel policies designed to protect the rights of staff and management. These policies must, at a minimum, include grievance procedures for both staff and executive directors; leave policies; work hour and benefit policies; regular staff evaluations, policies for setting salaries and salary increases and policies for nondiscrimination.
3. Centers must maintain functional time sheets and personnel files. Functional time sheets mean records that reflect the actual hours spent on each project according to funding source.
4. Centers must maintain records to substantiate the number of clients served, the number of educational programs provided and the number of attendees.
5. Centers must have regularly scheduled staff meetings to discuss agency business, which includes but is not limited to information about funding sources and national, statewide, and local coalitions for rape crisis centers.
6. Centers must conform to Generally Accepted Accounting Principles (GAAP).

CALIFORNIA EVIDENCE CODE

Evidence Code Section 1035.2 – “Sexual Assault Victim Counselor” Defined

As used in this article, “sexual assault victim counselor” means any of the following:

- (a) A person who is engaged in any office, hospital, institution, or center commonly known as a rape crisis center, whose primary purpose is the rendering of advice or assistance to victims of sexual assault and who has received a certificate evidencing completion of a training program in the counseling of sexual assault victims issued by a counseling center that meets the criteria for the award of a grant established pursuant to Section 13837 of the Penal Code and who meets one of the following requirements:
 - (1) Is a psychotherapist as defined in Section 1010; has a master’s degree in counseling or a related field; or has one year of counseling experience, at least six months of which is in rape crisis counseling.
 - (2) Has 40 hours of training as described below and is supervised by an individual who qualifies as a counselor under paragraph (1). The training, supervised by a person qualified under paragraph (1), shall include, but not be limited to, the following areas: law, medicine, societal attitudes, crisis intervention and counseling techniques, role playing, referral services, and sexuality.
- (b) A person who is employed by any organization providing the programs specified in Section 13835.2 of the Penal Code, whether financially compensated or not, for the purpose of counseling and assisting sexual assault victims, and who meets one of the following requirements:
 - (1) Is a psychotherapist as defined in Section 1010; has a master’s degree in counseling or a related field; or has one year of counseling experience, at least six months of which is in rape assault counseling.
 - (2) Has the minimum training for sexual assault counseling required by guidelines established by the employing agency pursuant to subdivision (c) of Section 13835.10 of the Penal Code, and is supervised by an individual who qualifies as a counselor under paragraph (1). The training, supervised by a person qualified under paragraph (1), shall include, but not be limited to, the following areas: law, victimology, counseling techniques, client and system advocacy, and referral services.

Evidence Code Section 1035.4 “Confidential Communication Between Sexual Assault Counselor and Victim” Defined

As used in this article, “confidential communication between the sexual assault counselor and the victim” means information transmitted between the victim and the sexual assault counselor in the course of their relationship and in confidence by a means which, so far as the victim is aware, discloses the information to no third persons other than those who are present to further the interests of the victim in the consultation or those to whom disclosures are reasonably necessary for the transmission of the information or an accomplishment of the purposes for which the sexual assault counselor is consulted. The term includes all information regarding the facts and circumstances involving the alleged sexual assault and also includes all information regarding the victim’s prior or subsequent sexual conduct, and opinions regarding the victim’s sexual conduct or reputation in sexual matters.

The court may compel disclosure of information received by the sexual assault counselor which constitutes relevant evidence of the facts and circumstances involving an alleged sexual assault about which the victim is complaining and which is the subject of a criminal proceeding if the court determines that the probative value outweighs the effect on the victim, the treatment relationship, and the treatment services if disclosure is compelled.

When a court is ruling on a claim of privilege under this article, the court may require the person from whom disclosure is sought or the person authorized to claim the privilege, or both, to disclose the information in chambers out the presence and hearing of all persons except the person authorized to claim the privilege and such other persons as the person authorized to claim the privilege is willing to have present. If the judge determines that the information is privileged and must not be disclosed, neither he or she nor any other person may ever disclose, without the consent of a person authorized to permit disclosure, what was disclosed in the course of the proceedings in chambers.

If the court determines certain information shall be disclosed, the court shall so order and inform the defendant. If the court finds there is a reasonable likelihood that particular information is subject to disclosure pursuant to the balancing test provided in this section, the following procedure shall be followed:

- (1) The court shall inform the defendant of the nature of the information, which may be subject to disclosure.
- (2) The court shall order a hearing out of the presence of the jury, if any, and the hearing allow the questioning of the sexual assault counselor regarding the information which the court has determined may be subject to disclosure.
- (3) At the conclusion of the hearing, the court shall rule which items of information, if any, shall be disclosed. The court may make an order stating what evidence may be introduced by the defendant and the nature of questions to be permitted. The defendant may then offer evidence pursuant to the order of the court. Admission of evidence concerning the sexual conduct of the complaining witness is subject to Sections 352, 782, and 1103.

Evidence Code Section 1035.6 “Holder of the Privilege” Defined

As used in this article, “holder of the privilege” means:

- (a) The victim when such person has no guardian or conservator.
- (b) A guardian or conservator of the victim when the victim has a guardian or conservator.
- (c) The personal representative of the victim if the victim is dead.

Evidence Code Section 1035.8 When Privilege to Refuse to Disclose Confidential Communication May Be Claimed

A victim of a sexual assault, whether or not a party, has a privilege to refuse to disclose, and to prevent another from disclosing, a confidential communication between the victim and a sexual assault victim counselor if the privilege is claimed by:

- (a) The holder of the privilege;
- (b) A person who is authorized to claim the privilege by the holder of the privilege; or
- (c) The person who was the sexual assault victim counselor at the time of the confidential communication, but such person may not claim the privilege if there is no holder of the privilege in existence or if he is otherwise instructed by a person authorized to permit disclosure.

Evidence Code Section 1036 When Counselor Shall Claim Privilege

The sexual assault victim counselor who received or made a communication subject to the privilege under this article shall claim the privilege whenever he is present when the communication is sought to be disclosed and is authorized to claim the privilege under subdivision (c) Section 1035.8.

Evidence Code Section 1036.2 “Sexual Assault” Defined

As used in this article, “sexual assault” includes all of the following:

- (a) Rape, as defined in Section 261 of the Penal Code.
- (b) Unlawful sexual intercourse, as defined in Section 261.5 of the Penal Code.
- (c) Rape in concert with force and violence, as defined in Section 264.1 of the Penal Code.
- (d) Rape of a spouse, as defined in Section 262 of the Penal Code.
- (e) Sodomy, as defined in Section 262 of the Penal Code, except a violation of subdivision (e) of that section.
- (f) A violation of Section 288 of the Penal Code.
- (g) Oral copulation, as defined in Section 288a of the Penal Code, except a violation of subdivision (e) of that section.
- (h) Penetration of the genital or anal opening of another person with a foreign object, substance, instrument, or device, as specified in Section 289 of the Penal Code.
- (i) Annoying or molesting a child under 18, as defined in Section 647a of the Penal Code.
- (j) Any attempt to commit any of the above acts.

CALIFORNIA PENAL CODE

13835.10 – Sexual Assault Service Programs; Comprehensive Standardized Training

- (a) The Legislature finds and declares all of the following:
 - (1) That the provision of quality services for victims of crime is of high priority.
 - (2) That existing victim service programs do not have sufficient financial resources to consistently recruit and employ fully trained personnel.
 - (3) That there is no consistency in the training provided to the various agencies serving victims.
 - (4) That comprehensive training for victim service agencies is geographically limited or unavailable.
 - (5) That there is currently no statewide comprehensive training system in place for the state to insure that all service providers receive adequate training to provide quality services to victims of crime.
 - (6) It is the intention of the Legislature to establish a statewide training program within the agency or agencies designated by the Director of Finance pursuant to Section 13820 to provide comprehensive standardized training to victim service providers.
- (b) The agency or agencies designated by the Director of Finance pursuant to Section 13820 shall establish a statewide victim-assistance training program, the purpose of which is to develop minimum training and selection standards, certify training courses, and provide funding to enable local victim service providers to acquire the required training.
- (c) (1) For the purpose of raising the level of competence of local victim service providers, the office shall adopt guidelines establishing minimum standards of training for employees of victim-witness and sexual assault programs funded by the office to provide services to victims of crime. The agency or agencies shall establish an advisory committee composed of recognized statewide victim service organizations, representatives of local victim service programs, and others selected at the discretion of the executive director to consult on the research and development of the training, selection, and equivalency standards.
- (2) Any local unit of government, community-based organization, or any other public or private nonprofit entity funded by the agency or agencies as a victim-witness or sexual assault program to provide services to victims of crime shall adhere to the training and selection standards established by the agency or agencies. The standards for sexual assault victim service programs developed by the advisory committee established pursuant to Section 13836 shall be the standards for purposes of this section. With the exception of the sexual assault standards, the agency or agencies shall conduct or contract with an appropriate firm or entity for research on validated standards pursuant to this section in consultation with the advisory committee established pursuant to paragraph (1). The agency or agencies may defer the adoption of the selection standards until the necessary research is completed. Until the standards are adopted, affected victim service programs may receive state funding from the agency or agencies upon certification of their willingness to adhere to the training standards adopted by the agency or agencies.
- (3) Minimum training and selection standards may include, but shall not be limited to, basic entry, continuation, supervisory, management, specialized curricula, and confidentiality.
 - (4) Training and selection standards shall apply to all victim service and management personnel of the victim-witness and sexual assault agencies funded by the agency or agencies to provide services to victims of crime. Exemptions from this requirement may be made by the agency or agencies. An agency which, despite good faith efforts, is unable to meet the standards established pursuant to this section, may apply to the agency or agencies for an exemption. For the purpose of exemptions, the agency or agencies may establish procedures that allow for partial adherence. The agency or agencies may develop equivalency standards which recognize professional experience, education, training, or a combination of the above, for personnel hired before July 1, 1987.
 - (5) Nothing in this section shall prohibit an agency, funded by the agency or agencies to provide services to victims of crime, from establishing training and selection standards which exceed the minimum standards established by the agency or agencies pursuant to this section.
- (d) For purposes of implementing this section, the agency or agencies has all of the following powers:
 - (1) To approve or certify, or both, training courses selected by the agency or agencies.

- (2) To make those inquiries which may be necessary to determine whether every local unit of government, community-based organization, or any other public or private entity receiving state aid from the agency or agencies as a victim-witness or sexual assault program for the provision of services to victims of crime, is adhering to the standards for training and selection established pursuant to this section.
 - (3) To adopt those guidelines which are necessary to carry out the purposes of this section.
 - (4) To develop or present, or both, training courses for victim service providers, or to contract with coalitions, councils, or other designated entities, to develop or present, or both, those training courses.
 - (5) To perform other activities and studies necessary to carry out the intent of this section.
- (e) (1) The agency or agencies may utilize any funds that may become available from the Victim-Witness Assistance Fund to fund the cost of training staff of victim service agencies which are funded by the agency or agencies from the fund. The agency or agencies may utilize federal or other state funds that may become available to fund the cost of training staff of victim service agencies which are not eligible for funding from the Victim-Witness Assistance Fund.
- (2) Peace officer personnel whose jurisdictions are eligible for training subvention pursuant to Chapter 1 (commencing with Section 13500) of Title 4 of this part and correctional or probation personnel whose jurisdictions are eligible for state aid pursuant to Article 2 (commencing with Section 6035) of Chapter 5 of Title 7 of Part 3 are not eligible to receive training reimbursements under this section unless the person receiving the training is assigned to provide victim services in accordance with a grant award agreement with the agency or agencies and is attending training to meet the established standards.

Penal Code Section 13836 – Advisory Committee; Duties; Sex Crime Prosecution Units

The agency or agencies designated by the Director of Finance pursuant to Section 13820 shall establish an advisory committee, which shall develop a course of training for district attorneys in the investigation and prosecution of sexual assault cases, child sexual exploitation cases, and child sexual abuse cases and shall approve grants awarded pursuant to Section 13837. The courses shall include training in the unique emotional trauma experienced by victims of these crimes.

It is the intent of the Legislature in the enactment of this chapter to encourage the establishment of sex crime prosecution units, which shall include, but not be limited to, child sexual exploitation and child sexual abuse cases, in district attorneys' offices throughout the state.

Penal Code Section 13836.1 – Members of Advisory Committee; Compensation; Expenses

Such committee shall consist of 11 members. Five shall be appointed by the executive director of the Office of Criminal Justice Planning, and shall include three district attorneys or assistant or deputy district attorneys, one representative of a city police department or a sheriff or a representative of a sheriff's department, and one public defender or assistant or deputy public defender of a county. Six shall be public members appointed by the Commission on the Status of Women, and shall include one representative of a rape crisis center, and one medical professional experienced in dealing with sexual assault trauma victims. The committee members shall represent the points of view of diverse ethnic and language groups.

Members of the committee shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred by them in the performance of their duties. Staff support for the committee shall be provided by the Office of Criminal Justice Planning.

Penal Code Section 13837 – Rape Victim Counseling Centers

13837. (a) The OES shall provide grants to proposed and existing child sexual exploitation and child sexual abuse victim counseling centers and prevention programs. Grant recipients shall provide appropriate in-person counseling and referral services during normal business hours, and maintain other

standards or services which shall be determined to be appropriate by the advisory committee established pursuant to Section 13836 as grant conditions. The advisory

committee shall identify the criteria to be utilized in awarding the grants provided by this chapter before any funds are allocated.

In order to be eligible for funding pursuant to this chapter, the centers shall demonstrate an ability to receive and make use of any funds available from governmental, voluntary, philanthropic, or other sources which may be used to augment any state funds appropriated for purposes of this chapter. Each center receiving funds pursuant to this chapter shall make every attempt to qualify for any available federal funding.

State funds provided to establish centers shall be utilized when possible, as determined by the advisory committee, to expand the program and shall not be expended to reduce fiscal support from other public or private sources. The centers shall maintain quarterly and final fiscal reports in a form to be prescribed by the administering agency. In granting funds, the advisory committee shall give priority to centers which are operated in close proximity to medical treatment facilities.

(b) (1) It is the intent of the Legislature that a goal or purpose of the OES shall be to ensure that all victims of sexual assault and rape receive comprehensive, quality services, and to decrease the incidence of sexual assault through school and community education and prevention programs.

(2) The OES and the advisory committee established pursuant to Section 13836 shall collaboratively administer sexual assault/rape crisis center victim services programs and provide grants to proposed and existing sexual assault services programs (SASPs) operating local rape victim centers and prevention programs. All SASPs shall provide the services in subparagraphs (A) to (G), inclusive, and to the extent federal funding is made available, shall also provide the service described in subparagraph (H). The OES shall provide financial and technical assistance to SASPs in implementing the following services:

(A) Crisis intervention, 24 hours per day, seven days per week.

(B) Followup counseling services.

(C) In-person counseling, including group counseling.

(D) Accompaniment services.

(E) Advocacy services.

(F) Information and referrals to victims and the general public.

(G) Community education presentations.

(H) Rape prevention presentations and self-defense programs.

(3) The funding process for distributing grant awards to SASPs shall be administered as follows:

(A) The OES and the advisory committee established pursuant to Section 13836 shall collaboratively adopt each of the following:

(i) The process and standards for determining whether to grant, renew, or deny funding to any SASP applying or reapplying for funding under the terms of the program.

(ii) For SASPs applying for grants under the RFP process described in subparagraph (B), a system for grading grant applications in relation to the standards established pursuant to clause (i), and an appeal process for applications that are denied. A description of this grading system and appeal process shall be provided to all SASPs as part of the application required under the RFP process.

(iii) For SASPs reapplying for funding under the RFA process described in subparagraph (D), a system for grading the performance of SASPs in relation to the standards established pursuant to clause (i), and an appeal process for decisions to deny or reduce funding. A description of this grading system and appeal process shall be provided to all SASPs receiving grants under this program.

(B) Grants for centers that have previously not been funded or were not funded in the previous cycle shall be awarded as a result of a competitive request for proposal (RFP) process. The RFP process shall comply with all applicable state and federal statutes for sexual assault/rape crisis center funding, and to the extent possible, the response to the RFP shall not exceed 25 narrative pages, excluding attachments.

(C) Grants shall be awarded to SASPs that propose to maintain services previously granted funding pursuant to this section, to expand existing services or create new services, or to establish new sexual assault/rape crisis centers in underserved or unserved areas. Each grant shall be awarded for a three-year term.

(D) SASPs reapplying for grants shall not be subject to a competitive bidding grant process, but shall be subject to a request for application (RFA) process. The RFA process for a SASP reapplying for grant

funds shall consist in part of an assessment of the past performance history of the SASP in relation to the standards established pursuant to subparagraph (A). The RFA process shall comply with all applicable state and federal statutes for sexual assault/rape crisis center funding, and to the extent possible, the response to the RFA shall not exceed 10 narrative pages, excluding attachments.